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1 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA

2 IN AND FOR THE COUNTY OF SHASTA

3 -0-

4 CHARLES L. LEMM, OLIVE LEMM, J. G. CHATHAM, )  
5 CHRISTIAN OLSON, J. H. SCHOMBERG, WINFIELD )  
6 DURFOR, LUELLA LOFTON, Administratrix of )  
7 the Estate of P. W. R. STANFORD, deceased, )  
8 and THE RED RIVER LUMBER COMPANY, a corpora- )  
9 tion, )  
10 Plaintiffs, )

11 vs.

12 JOHN RUTHERFORD, EUGENE WILSEY, AFTERTHOUGHT )  
13 COPPER COMPANY, a corporation, JAMES ASHER, )  
14 R. A. WARD, M. S. EDSON, WILLIAM EILERS, )  
15 GEORGE ELDRIDGE, B. F. BIBBENS, O. A. ROSE, )  
16 EMMA A. THOMAS, JOHN W. MAXWELL, JENNIE MAX- )  
17 WELL, L. O. STRAYER, WILFORD E. ROSS, JOHN )  
18 W. COX, JAMES M. BALLARD, E. C. ENGLISH, H. )  
19 LEE MARTIN, A. F. PEHRSON, W. A. CALKINS, )  
20 EUGENE JOHNSON, L. N. ELLIS, WM. CLARK, JOHN )  
21 DOE GRANT, FIRST DOE, SECOND DOE, THIRD DOE, )  
22 FOURTH DOE, FIFTH DOE, SIXTH DOE, SEVENTH DOE, )  
23 EIGHTH DOE, NINTH DOE, TENTH DOE, GEORGE RUTH- )  
24 ERFORD, H. O. BISHOP, C. S. ERICKSON, IDA L. BID- )  
25 WELL, ALONZO HALEY, FRED ROE, J. G. HADLEY, )  
26 E. L. SMITH, and FRANCES SMITH, EARL PATTON, )  
27 F. H. KENYON, LIZZIE A. GRAY, GEORGE J. BOYLE, )  
28 W. A. BOGUE, H. H. BUTZBACH, E. J. PHILLIPS, )  
29 E. C. FRISBIE, D. G. HUNT, JR., LOUISA LEMM, )  
30 RICHARD ELLERKAMP, and WALTER MELTON, )  
31 Defendants. )

No. 5804

JUDGMENT

AND

DECREE

20 The above entitled cause having been referred to the Division of  
21 Water Rights (now Division of Water Resources) of the Department of Public  
22 Works of the State of California, as referee, by an order of the Court,  
23 entered on April 25, 1923, and made under authority of law as conferred by  
24 Section 24 of the Water Commission Act of the State of California, Statutes  
25 1913, Chapter 586, as amended; said referee having made its investigation  
26 and having submitted its report as referee together with a proposed stipula-  
27 tion for judgment to the court on March 5, 1928, and thereafter additional  
28 parties having been brought into said action, said cause having been re-  
29 referred to said referee for further report by the order of the court  
30 dated June 1, 1928, said referee having made further investigations and  
31 having submitted a supplemental report of referee, dated December 12, 1930

1 and a second supplemental report of referee, dated October 5, 1931, the  
2 court having fixed October 13, 1931, as the time for hearing said cause, and  
3 said hearing having been postponed to October 26, 1931, said cause came on  
4 regularly for trial before said court, Honorable Walter E. Herzinger, Judge of  
5 said court presiding, plaintiffs appearing by and through their attorneys,  
6 Messrs. Carr and Kennedy, some of defendants having been represented by  
7 their counsel, Jesse Carter, Esq., others of defendants by their counsel,  
8 L. C. Smith, Esq., others of defendants, by their counsel, Roscoe J. Anderson,  
9 Esq., others of defendants, by their counsel, W. D. Tillotson, Esq., others of  
10 defendants, by their counsel, A. M. Dean, Esq., other of defendants, by their  
11 counsel, Messrs. Chenoweth and Leininger, and John W. Maxwell, Evert G. Angle,  
12 Emma A. Thomas, O. L. Rose, Louisa Lemm, and Walter Melton having respectively  
13 appeared in propria persona; all of said parties in said action having  
14 entered into oral stipulations at said hearing providing certain amendments  
15 to said stipulation for judgment settling their respective issues, and there-  
16 after said oral stipulations having been prepared in written form, signed by  
17 all of said parties in said action and filed with the court, said stipulation  
18 for judgment as amended providing that said court might enter a decree in  
19 accordance with the provisions thereof, all of said parties to the above  
20 entitled action having further stipulated that findings of fact and conclusions  
21 of law be waived and said matter being finally submitted to this court, and  
22 it appearing that said parties who have entered into said amended stipulation  
23 for judgment are the owners of the rights as agreed upon and set forth therein,  
24 and it further appearing that substitutions of parties plaintiff have been  
25 regularly made as follows, to-wit:

26 (a) Arthur Olson, Melvin Olson, Oscar Olson and Christine Olson,  
27 as successors in interest of Christian Olson, deceased;

28 (b) V. Rozum and B. Rozum, successors in interest of L. S.  
29 Holcomb, substituted as plaintiff herein in the place and stead of J. H.  
30 Schomberg;

31 (c) L. J. Sharp, substituted as plaintiff herein in the place and

1     stead of Winfield Durfor;

2     and it further appearing that substitutions of parties defendant have been  
3     regularly made as follows, to-wit:

4             (a) Roy Wilsey, successor in interest of Eliza Wilsey, substituted  
5     as a defendant herein in the place and stead of Eugene Wilsey, deceased;

6             (b) California Zinc Company, a corporation, substituted as a defend-  
7     ant herein in the place and stead of Afterthought Copper Company;

8             (c) Augusta I. Hobson, successor in interest of De Forest Hobson,  
9     substituted as a defendant herein in the place and stead of William Eilers;

10            (d) J. E. Baker, substituted as a defendant herein in the place  
11     and stead of B. F. Bibbens;

12            (e) J. W. Maxwell and Mae Belle Phillips, substituted as defend-  
13     ants herein in the place and stead of Jennie Maxwell, deceased;

14            (f) Edward Rice, substituted as a defendant herein in the place  
15     and stead of H. Lee Martin;

16            (g) John Passons, successor in interest of E. D. Herrick, sub-  
17     stituted as a defendant herein in the place and stead of L. O. Strayer;

18            (h) Emil Plaetke, substituted as a defendant herein in the place  
19     and stead of Earl Patton;

20            (i) Mrs. Lillie M. Spaulding, substituted as a defendant herein  
21     in the place and stead of Eugene Johnson;

22            (j) C. E. Jones, substituted as a defendant herein in the place  
23     and stead of William Clark;

24            (k) Jesse Grant, sued herein as John Doe Grant;

25            (l) The Redding Savings Bank, a corporation, successor in interest  
26     of L. M. Carr, and Erick Anderson, substituted as defendants herein in the  
27     place and stead of Lizzie A. Gray;

28            (m) Carrie L. Boyle, substituted as a defendant herein in the  
29     place and stead of George J. Boyle, deceased;

30            (n) Francis R. Fassett and Holly Adams Fassett, his wife,  
31     successors in interest of E. C. Frisbie and C. T. Dozier, substituted as

1 defendants herein in the place and stead of L. N. Ellis;

2 (o) E. C. Frisbie, substituted as a defendant herein in the place  
3 and stead of Albert Patton;

4 (p) Kate Rowe, substituted as a defendant in the place and stead  
5 of Fred Roe;

6 (q) Alex Hansen, substituted as a defendant herein in the place  
7 and stead of Florence McCandless;

8 (r) Lillie Grace Phillips, substituted as a defendant herein in  
9 the place and stead of D. W. Phillips, deceased;

10 and it further appearing that the following have been regularly brought in as  
11 parties defendant in the action, to-wit:

12 (a) D. G. Hunt, Jr., as owner of an undivided one-half interest  
13 in the property of defendant W. A. Bogue;

14 (b) Louisa Lemm, added as a defendant herein by direction of the  
15 Court;

16 (c) Richard Ellerkamp, added as a defendant herein by direction  
17 of the Court; and

18 (d) Walter Melton, added as a defendant herein by direction of  
19 the Court.

20 NOW THEREFORE IT IS HEREBY ORDERED, ADJUDGED, AND DECREED AS  
21 FOLLOWS, TO-WIT:

22 (1st) There is in said Shasta County a natural stream of water  
23 known as and called "North Cow Creek," which said creek arises on the west  
24 slope of Snow Mountain in said Shasta County, State of California, and flows  
25 thence in a general southwesterly direction between well defined banks in a  
26 well defined channel to, upon, and across some of the lands of some of the  
27 parties to this action, which lands are hereinafter described; said North  
28 Cow Creek has an important tributary known as and called "Cedar Creek" which  
29 rises to the north of said North Cow Creek and to the east of Round Mountain  
30 in said county and state and flows thence in a general southwesterly direc-  
31 tion between well defined banks in a well defined channel to its confluence

1 with said North Cow Creek; said North Cow Creek has another important tribut-  
2 ary known as and called "Mill Creek" which rises to the south of said North  
3 Cow Creek and to the southwest of said Snow Mountain in said county and state  
4 and flows thence in a general westerly direction between well defined banks  
5 and a well defined channel to its confluence with said North Cow Creek; and  
6 said streams have so flowed since the memory of man.

7 (2nd) The parties plaintiff and parties defendant in the above  
8 entitled action are the owners of the lands described in their respective  
9 pleadings, and as amended and pleaded by them; that the allotments of water  
10 from said North Cow Creek and its tributaries as hereinafter set forth are for  
11 use upon the acreages described in Schedule 1 hereunto annexed and made a  
12 part hereof; that the respective parties are the owners of the acreages set  
13 forth under their respective names and of all the lands embraced in the legal  
14 subdivisions in said Schedule 1; and that said lands are depicted on the  
15 map herein referred to as the "Division of Water Rights Map," which map was  
16 prepared by the Division of Water Rights of the Department of Public Works of  
17 the State of California from its surveys made in 1923, which map is entitled,  
18 "Map of North Cow and Oak Run Creek Watersheds Showing Diversion Systems  
19 and Irrigated Areas, Shasta County, California," which map is dated 1924, and  
20 is filed with the records of the above entitled action as Exhibit "D" of the  
21 report of referee.

22 (3rd) The parties plaintiff and the parties defendant are the  
23 owners of, or interested in, the ditches, conduits, pipe lines and other means  
24 of diversion described in their respective pleadings, and as amended and  
25 pleaded by them, and as depicted on said Division of Water Rights Map and  
26 are entitled to divert water, as hereinafter set forth, through said means of  
27 diversion at the points of diversion depicted on said map.

28 (4th) <sup>4-48</sup> Wilford E. Ross, <sup>4-53</sup> John Q. Cox, <sup>4-42</sup> James W. Ballard, John  
29 <sup>4-54</sup> Passons, <sup>4-53</sup> Edward Rice, and <sup>4-57</sup> E. C. English, jointly, are entitled to divert from  
30 the natural flow of Mill Creek, through the Welch and Strayer Ditch,

31 3.00 cubic feet per second,

1 or as much thereof as they directly apply to beneficial use for the purposes  
2 hereinafter set forth; said water to be diverted from said Mill Creek at a  
3 point (designated on Division of Water Rights Map as Diversion 45) which bears  
4 approximately N 72° 00' E, approximately 3780 feet distant from the southwest  
5 corner of Section 5, T 33 N, R 1 E, M.D.B.& M., being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of  
6 said Section 5, and said water to be used for domestic, stock watering, and  
7 irrigation purposes upon the lands of the various parties enumerated in this  
8 paragraph as described in Schedule I hereof.

9 (5th) O. L. Rose, <sup>4-17</sup> Evert G. Angle, <sup>4-29</sup> Emma A. Thomas, <sup>4-30</sup> John W. Maxwell, <sup>4-31</sup>  
10 and Mac Belle Phillips, jointly, are entitled to divert from the natural flow  
11 of either Mill Creek, or the South Fork of Mill Creek, or in part from both  
12 of said sources, through the Excelsior Ditch,

13 2.00 cubic feet per second,

14 or as much thereof as they directly apply to beneficial use for the purposes  
15 hereinafter set forth; said water to be diverted from said Mill Creek at a  
16 point (designated on Division of Water Rights Map as Diversion 49) which bears  
17 approximately N 77° 30' E, approximately 3260 feet distant from the southwest  
18 corner of Section 5, T 33 N, R 1 E, M.D.B.& M., being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of  
19 said Section 5, and from said South Fork of Mill Creek at a point (designated  
20 on Division of Water Rights Map as Diversion 50) which bears approximately  
21 N 88° 00' E, approximately 2740 feet distant from the southwest corner of said  
22 Section 5, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 5, and said water to be  
23 used for domestic, stock watering and irrigation purposes upon the lands of  
24 the various parties enumerated in this paragraph as described in Schedule I  
25 hereof.

26 (6th) Whenever the combined available water supply of Mill Creek  
27 and the South Fork thereof is inadequate to supply the allotments hereinabove  
28 provided in paragraphs (4th) and (5th) then, during the continuance of such  
29 shortage, the said combined available water supply of Mill Creek and the South  
30 Fork thereof shall be apportioned sixty per cent to the Welch and Strayer  
31 Ditch and forty per cent to the Excelsior Ditch.

1                   (7th) A. F. Pehrson is entitled to divert from the natural flow  
2 of Cedar Creek, through the Pehrson Cedar Creek Ditch,  
3                                   0.25 cubic foot per second,  
4 or as much thereof as he directly applies to beneficial use for the purpose  
5 hereinafter set forth, from 9:00 o'clock, A. M., on Tuesday, to 9:00 o'clock  
6 A. M., on Wednesday of each and every week; said water to be diverted from  
7 said Cedar Creek at a point (designated on Division of Water Rights Map as  
8 Diversion 39) which bears approximately S 14° 00' W, approximately 270 feet  
9 distant from the East quarter corner of Section 22, T 34 N, R 1 W, M.D.B.& M.,  
10 being within the NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of said Section 22, and said water to be used for the  
11 irrigation of the following described lands:

12                                   0.6 acre in the NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> Sec. 22, T 34 N, R 1 W, M.D.B.& M.  
13                                   0.6 acre - Total

14                   (8th) C. S. Erickson is entitled to divert the entire flow of an  
15 unnamed swale leading from the H. O. Bishop irrigated lands, through the  
16 Erickson Ditch, or as much thereof as he directly applies to beneficial use  
17 for the purposes hereinafter set forth; said water to be diverted from said  
18 unnamed swale at a point (designated on Division of Water Rights Map as  
19 Diversion 8) which bears approximately S 15° 00' W, approximately 375 feet  
20 distant from the northeast corner of Section 19, T 34 N, R 1 E, M.D.B.& M.,  
21 being within the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> of said Section 19, and said water to be used for  
22 domestic, stock watering, and irrigation purposes upon his lands as described  
23 in Schedule I hereof.

24                   (9th) C. S. Erickson is entitled to divert the entire flow of  
25 School House Spring Channel, through the Erickson Ditch, or as much thereof  
26 as he directly applies to beneficial use for the purposes hereinafter set  
27 forth; said water to be diverted from said School House Spring Channel at a  
28 point (designated on Division of Water Rights Map as Diversion 9) which bears  
29 approximately S 17° 00' W, approximately 340 feet distant from the northeast  
30 corner of Section 19, T 34 N, R 1 E, M.D.B.& M., being within the NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>  
31 of said Section 19, and said water to be used for domestic, stock watering,

1 and irrigation purposes upon his lands as described in Schedule I hereof.

2 (10th) C. S. Erickson is entitled to divert from the natural  
3 or developed flow of an unnamed spring situated at a point (designated on  
4 Division of Water Rights Map as Diversion 10) which bears approximately N 55°  
5 00' W, approximately 2140 feet distant from the southeast corner of Section  
6 18, T 34 N, R 1 E, M.D.B. & M., being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 18,  
7 through the Erickson Spring Ditch and Pipe Line, the entire flow of said  
8 spring, or as much thereof as he directly applies to beneficial use for the  
9 purposes hereinafter set forth; said water to be diverted at the above  
10 described spring, and used for domestic, stock watering and irrigation *ent*  
11 purposes upon his lands as described in Schedule I hereof.

12 (11th) Lillie Grace Phillips is entitled to divert from the  
13 natural flow of North Cow Creek, through the Phillips Mill Ditch,

14 7.50 cubic feet per second

15 or as much thereof as she directly applies to beneficial use for the purposes  
16 hereinafter set forth; said water to be diverted from said North Cow Creek  
17 at a point (designated on Division of Water Rights Map as Diversion 69) which  
18 bears approximately S 79° 30' W, approximately 1240 feet distant from the  
19 northeast corner of Section 2, T 33 N, R 1 W, M.D.B. & M., being within the  
20 NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 2, and said water to be used for domestic, stock  
21 watering and power purposes, and for the irrigation of 0.8 acre, upon the  
22 following described lands:

23 Lot 2, Sec. 2, T 33 N, R 1 W, M.D.B. & M. *ent*

24 Lot 3, Sec. 2, T 33 N, R 1 W, M.D.B. & M.

25 provided, however, that all water so diverted, with the exception of that  
26 necessarily lost in transportation and that consumed for the above mentioned  
27 domestic, stock watering, and irrigation uses, shall be returned to the  
28 natural channel of North Cow Creek at a point opposite the Phillips Mill and  
29 within Lot 3, Section 2, T 33 N, R 1 W, M.D.B. & M.

30 (12th) Lillie Grace Phillips is entitled to divert from the  
31 natural flow of North Cow Creek, through the Phillips Garden Ditch,



1 or as much thereof as he directly applies to beneficial use for the purposes  
2 hereinafter set forth; said water to be diverted at the above described spring  
3 and used for domestic, stock watering, and irrigation purposes upon his lands  
4 as described in Schedule I hereof.

5 (15th) Emil Plaetke is entitled to divert from the natural flow ✓  
6 of an unnamed spring channel, through either the Earl Patton East Spring Ditch,  
7 or the Earl Patton Feeder Ditch, or in part through both of said ditches  
8 the entire flow of said spring channel, *-Tract 4-3*  
9 or as much thereof as he directly applies to beneficial use for the purposes  
10 hereinafter set forth; said water to be diverted from said unnamed spring  
11 channel, through the Earl Patton East Spring Ditch, at a point (designated  
12 on Division of Water Rights Map as Diversion 14) which bears approximately *out*  
13 N 87° 00' W, approximately 1430 feet distant from the east quarter corner  
14 of Section 30, T 34 N, R 1 E, M.D.B. and M., being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said  
15 Section 30, and through the Earl Patton Feeder Ditch, at a point (designated  
16 on Division of Water Rights Map as Diversion 15) which bears approximately  
17 N 89° 00' W, approximately 1420 feet distant from the east quarter corner of  
18 said Section 30, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 30, and said water  
19 to be used for domestic, stock watering and irrigation purposes upon his lands  
20 as described in Schedule I hereof.

21 (16th) Emil Plaetke is entitled to divert from the natural or ✓  
22 developed flow of an unnamed spring situated at a point (designated on Divisio  
23 of Water Rights Map as Diversion 16) which bears approximately S 87° 00' E,  
24 approximately 1270 feet distant from the west quarter corner of Section 30,  
25 T 34 N, R 1 E, M.D.B. & M., being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 30,  
26 through the Earl Patton West Spring Ditch and Pipe Line, leading from said *out*  
27 spring,

28 the entire flow of said spring, *(Tract 4-3)*  
29 or as much thereof as he directly applies to beneficial use for the purposes  
30 hereinafter set forth; said water to be diverted at the above described spring  
31 and used for domestic, stock watering, and irrigation purposes upon his lands

1 as described in Schedule I hereof.

2 (17th) Francis R. Fassett and Holly Adams Fassett, jointly, are  
3 entitled to divert from the natural or developed flow of an unnamed spring  
4 situated at a point (designated on Division of Water Rights Map as Diversion  
5 25) which bears approximately S 14° 00' E, approximately 3000 feet distant  
6 from the north quarter corner of Section 31, T 34 N, R 1 E, M.D.B.& M., being  
7 within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 31, through an unnamed channel leading  
8 from said spring into the Frisbie and Dozier Regulating Reservoir and thence  
9 through the Frisbie and Dozier Ditch System, *out*

10 the entire flow of said spring,  
11 or as much thereof as they directly apply to beneficial use for the purposes  
12 hereinafter set forth; said water to be diverted at the above described spring  
13 and used for domestic, stock watering, and irrigation purposes upon the lands  
14 of said parties as described in Schedule I hereof.

15 (18th) Francis R. Fassett and Holly Adams Fassett, jointly, are  
16 entitled to divert from the natural or developed flow of Garden Spring situated  
17 at a point (designated on Division of Water Rights Map as Diversion 26) which  
18 bears approximately S 37° 00' W, approximately 2660 feet distant from the  
19 north quarter corner of Section 31, T 34 N, R 1 E, M.D.B.& M., being within  
20 the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 31, through the Garden Spring Ditch, leading from  
21 said spring,

22 the entire flow of said spring, *out*  
23 or as much thereof as they directly apply to beneficial use for the purpose  
24 hereinafter set forth; said water to be diverted at the above described  
25 spring and used for domestic, stock watering, and irrigation purposes upon  
26 the lands of said parties as described in Schedule I hereof.

27 (19th) Francis R. Fassett and Holly Adams Fassett, jointly, are  
28 entitled to divert from the natural or developed flow of an unnamed spring  
29 situated at a point (designated on Division of Water Rights Map as Diversion  
30 27) which bears approximately S 6° 00' W, approximately 1410 feet distant  
31 from the north quarter corner of Section 31, T 34 N, R 1 E, M.D.B.& M.,

1 being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 31, through the Frisbie and Dozier  
2 Domestic Pipe Line, leading from said spring,  
3 the entire flow of said spring, *act*  
4 or as much thereof as they directly apply to beneficial use for the purpose  
5 hereinafter set forth; said water to be diverted at the above described  
6 spring, and used for domestic purposes within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 31.

7 (20th) Mrs. Lillie M. Spaulding is entitled to divert from the  
8 flow in Haley Swale, leading from the Alonzo Haley irrigated lands, through  
9 the Johnson Waste Channel Ditch,  
10 0.65 cubic foot per second *act*  
11 or as much thereof as she directly applies to beneficial use for the purposes  
12 hereinafter set forth; said water to be diverted from said Haley Swale at a  
13 point (designated on Division of Water Rights Map as Diversion 35) which bears  
14 approximately N 27° 00' E, approximately 1250 feet distant from the south  
15 quarter corner of Section 14, T 34 N, R 1 W, M.D.B.& M., being within the  
16 SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 14, and said water to be used for domestic, stock  
17 watering and irrigation purposes upon her lands as described in Schedule I  
18 hereof.

19 (21st) Alex Hansen is entitled to divert from the flow in Haley  
20 Swale, leading from the Alonzo Haley irrigated lands and through the Lillie  
21 M. Spaulding irrigated lands, through the McCandless Waste Channel Ditch  
22 0.65 cubic foot per second, *act*

23 or as much thereof as he directly applies to beneficial use for the purposes  
24 hereinafter set forth; said water to be diverted from said Haley Swale at a  
25 point (designated on Division of Water Rights Map as Diversion 36) which  
26 bears approximately N 29° 00' E, approximately 420 feet distant from the  
27 south quarter corner of Section 14, T 34 N, R 1 W, M.D.B.& M., being within  
28 the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 14, and said water to be used for domestic,  
29 stock watering, and irrigation purposes upon his lands as described in  
30 Schedule I hereof.

31 (22nd) Alex Hansen is entitled to divert from the natural flow

1 of Frank Storey Spring Channel, through either the McCandless Upper Spring  
2 Ditch, or the McCandless Lower Spring Ditch, or in part through both of said  
3 ditches,  
4 the entire flow of said spring channel, *out*  
5 or as much thereof as he directly applies to beneficial use for the purposes  
6 hereinafter set forth; said water to be diverted from said Frank Storey Spring  
7 Channel, through the McCandless Upper Spring Ditch, at a point (designated on  
8 Division of Water Rights Map as Diversion 37) which bears approximately N 74°  
9 00' W, approximately 1950 feet distant from the south quarter corner of  
10 Section 14, T 34 N, R 1 W, M.D.B. & M., being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said  
11 Section 14, and through the McCandless Lower Spring Ditch, at a point (desig-  
12 nated on Division of Water Rights Map as Diversion 38) which bears approximatel:  
13 N 76° 00' W, approximately 950 feet distant from the south quarter corner of  
14 said section 14, being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 14, and said water  
15 to be used for domestic, stock watering, and irrigation purposes upon his  
16 lands as described in Schedule I hereof.

17 (23rd) Wilford E. Ross, John Q. Cox, James W. Ballard, John  
18 Passons, Edward Rice, and E. C. English, jointly, are entitled to divert the  
19 entire natural flow of all of three unnamed spring channels, through the  
20 Welch and Strayer Ditch, or as much thereof as they directly apply to bene-  
21 ficial use for the purposes hereinafter set forth; said water to be diverted  
22 from one of said unnamed spring channels at a point (designated on Division  
23 of Water Rights Map as Diversion 46) which bears approximately S 46° 30' E,  
24 approximately 1830 feet distant from the northwest corner of Section 8, T 33 N,  
25 R 1 E, M.D.B. & M., being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 8, from another  
26 of said unnamed spring channels at a point (designated on Division of Water  
27 Rights Map as Diversion 47) which bears approximately S 39° 30' E, approxi-  
28 mately 1700 feet distant from the northwest corner of said Section 8, being  
29 within the NW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 8, and from the third of said unnamed  
30 spring channels at a point (designated on Division of Water Rights Map as  
31 Diversion 48) which bears approximately S 26° 30' E, approximately 1500 feet

1 distant from the northwest corner of said Section 8, being within the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>  
2 of said Section 8, and said water to be used for domestic, stock watering, and  
3 irrigation purposes upon the lands of the various parties enumerated in this  
4 paragraph as described in Schedule I hereof.

5 (24th) O. L. Rose, Evert G. Angle, Emma A. Thomas, John W. Maxwell,  
6 and Mae Belle Phillips, jointly, are entitled to divert the entire natural  
7 flow of all of five unnamed spring channels, through the Excelsior Ditch,  
8 or as much thereof as they directly apply to beneficial use, for the purposes  
9 hereinafter set forth; said water to be diverted from said five unnamed spring  
10 channels at the following described points, respectively:

11 (1) At a point (designated on Division of Water Rights Map as *out*  
12 Diversion 51) which bears approximately N 88° 30' E, approximately 2370 feet  
13 distant from the southwest corner of Section 5, T 33 N, R 1 E, M.D.B.& M.,  
14 being within the SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of said Section 5.

15 (2) At a point (designated on Division of Water Rights Map as  
16 Diversion 52) which bears approximately S 81° 30' E, approximately 1820 feet  
17 distant from the northwest corner of Section 8, T 33 N, R 1 E, M.D.B.& M.,  
18 being within the NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 8.

19 (3) At a point (designated on Division of Water Rights Map as  
20 Diversion 53) which bears approximately S 62° 00' E, approximately 1340 feet  
21 distant from the northwest corner of Section 8, T 33 N, R 1 E, M.D.B.& M.,  
22 being within the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 8.

23 (4) At a point (designated on Division of Water Rights Map as  
24 Diversion 54) which bears approximately S 41° 00' E, approximately 1400 feet  
25 distant from the northwest corner of Section 8, T 33 N, R 1 E, M.D.B.& M.,  
26 being within the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 8.

27 (5) At a point (designated on Division of Water Rights Map as  
28 Diversion 55) which bears approximately S 35° 00' E, approximately 1320 feet  
29 distant from the northwest corner of Section 8, T 33 N, R 1 E, M.D.B.& M.,  
30 being within the NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 8. Said water to be used for  
31 domestic, stock watering, and irrigation purposes upon the lands of the

1 various parties enumerated in this paragraph as described in Schedule I hereof.

2 (25th) Evert G. Angle is entitled to divert from the natural or  
3 developed flow of an unnamed spring situated at a point (designated on Division  
4 of Water Rights Map as Diversion 67) which bears approximately N 22° 30' W,  
5 approximately 2600 feet distant from the southeast corner of Section 12, T 33  
6 N, R 1 W, M.D.B. & M., being within the NE<sup>1</sup> SE<sup>1</sup> of said Section 12, through  
7 the Angle Spring Ditch, leading from said spring,

8 the entire flow of said spring, *out*

9 or as much thereof as he directly applies to beneficial use for the purposes  
10 hereinafter set forth; said water to be diverted at the above described spring,  
11 and used for domestic, stock watering, and irrigation purposes upon his lands  
12 as described in Schedule I hereof.

13 (26th) J. W. Maxwell and Mae Belle Phillips, jointly, are entitled  
14 to divert from the flow in Thomas Swale, leading from the Emma A. Thomas  
15 irrigated lands, through the Maxwell Waste Channel Ditch, the return water  
16 there flowing to the extent of 0.50 cubic foot per second, or as much thereof  
17 as they directly apply to beneficial use for the purposes hereinafter set *out*  
18 forth; said water to be diverted from said Thomas Swale at a point (designated  
19 on Division of Water Rights Map as Diversion 68) which bears approximately  
20 S 52° 00' E, approximately 1510 feet distant from the northwest corner of  
21 Section 13, T 33 N, R 1 W, M.D.B. & M., being within the NW<sup>1</sup> NW<sup>1</sup> of said  
22 Section 13, and said water to be used for domestic, stock watering, and irriga-  
23 tion purposes upon their lands as described in Schedule I hereof.

24 (27th) C. B. Jones is entitled to divert from the natural or  
25 developed flow of Maple Spring situated at a point (designated on Division  
26 of Water Rights Map as Diversion 72) which bears approximately N 72° 00' W,  
27 approximately 960 feet distant from the east quarter corner of Section 34,  
28 T 34 N, R 1 W, M.D.B. & M., being within the SE<sup>1</sup> NE<sup>1</sup> of said Section 34  
29 through an unnamed ditch leading from said spring,

30 the entire flow of said spring, *out*

31 or as much thereof as he directly applies to beneficial use for the purposes

1 hereinafter set forth; said water to be diverted at the above described spring,  
2 and used for domestic, stock watering, and irrigation purposes upon his lands  
3 as described in Schedule I hereof.

4 (28th) C. B. Jones is entitled to divert from the natural or  
5 developed flow of Alder No. 2 Spring situated at a point (designated on Divisio  
6 of Water Rights Map as Diversion 73) which bears approximately S 83° 30' W,  
7 approximately 1230 feet distant from the east quarter corner of Section 34,  
8 T 34 N, R 1 W, M.D.B.& M., being within the NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> of said Section 34, through  
9 an unnamed ditch leading from said spring,

10 the entire flow of said spring, *out*  
11 or as much thereof as he directly applies to beneficial use for the purposes  
12 hereinafter set forth; said water to be diverted at the above described spring,  
13 and used for domestic, stock watering, and irrigation purposes upon his lands  
14 as described in Schedule I hereof.

15 (29th) Jesse Grant is entitled to divert from the natural or  
16 developed flow of an unnamed spring situated at a point (designated on  
17 Division of Water Rights Map as Diversion 74) which bears approximately S 46°  
18 30' E, approximately 2000 feet distant from the northwest corner of Section  
19 34, T 34 N, R 1 W, M.D.B.& M., being within the SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> of said Section 34,  
20 through either the Grant Domestic Pipe Line, or the Grant Orchard Ditch, or  
21 in part through both of said conduits, leading from said spring,

22 the entire flow of said spring, *out*  
23 or as much thereof as he directly applies to beneficial use for the purposes  
24 hereinafter set forth; said water to be diverted at the above described spring,  
25 and used for domestic, stock watering, and irrigation purposes upon his lands  
26 as described in Schedule I hereof.

27 (30th) A. F. Pehrson is entitled to divert from the flow in an  
28 unnamed channel, leading from the Jesse Grant irrigated lands, through the  
29 Borquist Ditch,

30 1.30 cubic feet per second, *out*  
31 or as much thereof as he directly applies to beneficial use for the purposes

1 hereinafter set forth; said water to be diverted from said unnamed channel at  
2 a point (designated on Division of Water Rights Map as Diversion 75) which  
3 bears approximately S 28° 30' E, approximately 2970 feet distant from the  
4 northwest corner of Section 34, T 34 N, R 1 W, M.D.B.& M., being within  
5 the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 34, and said water to be used for domestic, stock  
6 watering, and irrigation purposes upon his lands as described in Schedule I  
7 hereof.

8 (31st) A. F. Pehrson is entitled to divert the entire natural or  
9 developed flows of Big Spring situated at a point (designated on Division of  
10 Water Rights Mpa as Diversion 76) which bears approximately N 88° 30' E,  
11 approximately 2500 feet distant from the southwest corner of Section 27, T 34  
12 N, R 1 W, M.D.B.& M., being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 27, through an  
13 unnamed ditch leading from said Big Spring, of Indian Spring situated at a  
14 point (designated on Division of Water Rights Map as Diversion 77) which bears  
15 approximately S 85° 00' E, approximately 2510 feet distant from the northwest  
16 corner of Section 34, T 34 N, R 1 W, M.D.B.& M., being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of  
17 said Section 34, through an unnamed ditch, leading from said Indian Spring,  
18 of Lake Spring situated at a point (designated on Division of Water Rights  
19 Map as Diversion 78) which bears approximately S 72° 30' E, approximately  
20 1700 feet distant from the northwest corner of said Section 34, being within  
21 the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 34, through an unnamed ditch, leading from said  
22 Lake Spring, of Reservoir Spring situated at a point (designated on Division  
23 of Water Rights Map as Diversion 79) which bears approximately S 89° 00' E,  
24 approximately 1360 feet distant from the northwest corner of said Section 34,  
25 being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 34, through an unnamed ditch, lead-  
26 ing from said Reservoir Spring, and of House Spring situated at a point  
27 (designated on Division of Water Rights Map as Diversion 80) which bears  
28 approximately S 64° 30' E, approximately 580 feet distant from the northwest  
29 corner of said Section 34, being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 34,  
30 through two pipe lines, leading from said House Spring, or as much thereof  
31 as he directly applies to beneficial use for the purposes hereinafter set

1 forth; said water to be diverted at the above described springs, and used for  
2 domestic, stock watering, and irrigation purposes upon his lands as described  
3 in Schedule I hereof.

4 (32nd) Mrs. Augusta I. Hobson is entitled to divert from the  
5 natural or developed flows of two springs, known as Orchard Springs, situated  
6 at two points (designated on Division of Water Rights Map as Diversions 95  
7 and 96) which bear approximately N 30° 30' E, and N 26° 00' E, approximately  
8 1640 and 1920 feet distant, respectively, from the southwest corner of Section  
9 6 T 33 N, R 1 W, M.D.B. & M., being within Lot 6 of said Section 6, through  
10 two unnamed pipe lines, one leading from each of said springs,  
11 the entire flow of said springs, *out?*  
12 or so much thereof as she directly applies to beneficial use for the purpose  
13 hereinafter set forth; said water to be diverted at the above described  
14 springs and used for the irrigation of the following described lands:

15 0.7 acre in Lot 6, Sec. 6, T 33 N, R 1 W, M.D.B. & M.  
16 0.7 acre - Total

17 (33rd) Mrs. Augusta I. Hobson is entitled to divert from the  
18 natural or developed flow of an unnamed spring situated at a point (designated  
19 on Division of Water Rights Map as Diversion 97) which bears approximately  
20 S 49° 30' E, approximately 2170 feet distant from the north quarter corner  
21 of Section 6, T 33 N, R 1 W, M.D.B. & M., being within the SE $\frac{1}{2}$  NE $\frac{1}{4}$  of said  
22 Section 6, through the Hobson Domestic Pipe Line, leading from said spring,  
23 the entire flow of said spring, *out?*  
24 or as much thereof as she directly applies to beneficial use for the purpose  
25 hereinafter set forth; said water to be diverted at the above described spring  
26 and used for domestic purposes within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 6.

27 (34th) R. A. Ward is entitled to divert from the natural or  
28 developed flow of an unnamed spring situated at a point (designated on  
29 Division of Water Rights Map as Diversion 98) which bears approximately S 55°  
30 00' E, approximately 1100 feet distant from the north quarter corner of Section  
31 6, T 33 N, R 1 W, M.D.B. & M., being within Lot 2 of said Section 6, through  
the Ward Domestic Pipe Line, leading from said spring,

1 the entire flow of said spring,  
2 or as much thereof as he directly applies to beneficial use for the purpose *out*  
3 hereinafter set forth; said water to be diverted at the above described spring,  
4 and used for domestic purposes within the SE<sup>1</sup> SW<sup>1</sup> of Section 31, T 34 N, R 1 W,  
5 M.D.B. & M.

6 (35th) J. G. Asher is entitled to divert from the natural or  
7 developed flow of an unnamed spring situated at a point (designated on Division  
8 of Water Rights Map as Diversion 103) which bears approximately S 81° 00' W,  
9 approximately 780 feet distant from the northeast corner of Section 2, T 33 N,  
10 R 2 W, M.D.B. & M., being within the NW<sup>1</sup> NE<sup>1</sup> of said Section 2, through the  
11 Asher Domestic Pipe Line, leading from said spring,

12 the entire flow of said spring, *out*  
13 or as much thereof as he directly applies to beneficial use for the purpose  
14 hereinafter set forth; said water to be diverted at the above described spring,  
15 and used for domestic purposes within the NE<sup>1</sup> NE<sup>1</sup> of said Section 2.

16 (36th) California Zinc Company is entitled to divert from the  
17 natural flow of North Cow Creek, through the California Zinc Company Upper  
18 Pumping Plant,

19 0.04 cubic foot per second, *in*  
20 or as much thereof as said Company applies to beneficial use for the purposes  
21 hereinafter set forth; said water to be diverted from said North Cow Creek *in*  
22 at a point (designated on Division of Water Rights Map as Diversion 104)  
23 which bears approximately N 32° 00' W, approximately 1560 feet distant from  
24 the east quarter corner of Section 10, T 33 N, R 2 W, M.D.B. & M., being within  
25 the NE<sup>1</sup> of NE<sup>1</sup> of said Section 10, and said water to be used for fire protec-  
26 tion purposes and for the operation of a compressor on the Fitzimmons Claim  
27 within the NE<sup>1</sup> NE<sup>1</sup> of said Section 10;  
28 provided, however, that all water so diverted, with the exception of that  
29 necessarily lost in transportation and that consumed by said uses, shall be  
30 returned to the natural channel of North Cow Creek within the NE<sup>1</sup> NE<sup>1</sup> of  
31 said Section 10.

1 (37th) California Zinc Company is entitled to divert from the  
2 natural flow of North Cow Creek, through the California Zinc Company Lower  
3 Pumping Plant, 51

4 0.55 cubic foot per second, in  
5 or as much thereof as said company directly applies to beneficial use for  
6 the purposes hereinafter set forth; said water to be diverted from said North  
7 Cow Creek at a point (designated on Division of Water Rights Map as Diversion  
8 105) which bears approximately N 83° 00' E, approximately 2250 feet distant  
9 from the southwest corner of Section 10, T 33 N, R 2 W, M.D.B. & M., being  
10 within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 10, and said water to be used for milling  
11 purposes at the mill of said Company situated in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  and NE $\frac{1}{4}$  NW $\frac{1}{4}$  of  
12 Section 15, T 33 N, R 2 W, M.D.B. & M., and for domestic and municipal  
13 purposes within the town of Ingot, in Shasta County, California.

14 (38th) E. C. Frisbie is at all times entitled to divert  
15 0.85 cubic foot per second, 4-2  
16 or the entire quantity of the natural flow of Tolidy Spring Channel, or as 111  
17 much thereof as he directly applies to beneficial use, either through the  
18 Patton South Ditch or the Patton North Ditch, or in part through both of  
19 said ditches, all of said water to be diverted either at a point which bears  
20 approximately North 51° 00' East, approximately 2180 feet distant from the  
21 southwest corner of Section 20, Township 34 North, Range 1 East, M.D.B. and  
22 M., being within the Northeast quarter of the Southwest quarter of said  
23 Section 20, or at a point which bears approximately North 5° 30' East,  
24 approximately 2195 feet distant from said southwest corner of said Section 20,  
25 being within the Northwest quarter of the Southwest quarter of said Section  
26 20, and all of said water shall be used for domestic and stock watering  
27 purposes and for the irrigation of that portion of his lands described as  
28 follows:

- 29 1.9 acres in the NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 20, T 34 N, R 1 E, M.D.B. & M.
  - 30 1.6 acres in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 20, T 34 N, R 1 E, M.D.B. & M.
  - 31 25.4 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 19, T 34 N, R 1 E, M.D.B. & M.
  - 27.8 acres in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 19, T 34 N, R 1 E, M.D.B. & M.
  - 26.0 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 19, T 34 N, R 1 E, M.D.B. & M.
  - 0.7 acre in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 19, T 34 N, R 1 E, M.D.B. & M.
  - 2.8 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 19, T 34 N, R 1 E, M.D.B. & M.
- 86.2 acres - Total

1 provided, that all of said water so diverted from said Tolidy Spring Channel  
2 for said irrigation use shall be used only upon lands within the watershed  
3 of said Tolidy Spring Channel and none of said water shall be transported  
4 for use upon any lands outside of said watershed of Tolidy Spring Channel,  
5 during the irrigation season, except three miner's inches under a four inch  
6 pressure for domestic, stock watering and irrigation purposes, measured at  
7 the intake of the lateral near a corral in the Southwest quarter of the  
8 Northeast quarter of the Northwest quarter of the Southeast quarter of Section  
9 19, Township 34 North, Range 1 East, M.D.B. & M., such use to be by  
10 continuous flow or its equivalent, to be used upon said last described tract  
11 of land.

12 (39th) E. C. Frisbie is at all times entitled to divert  
13 0.15 cubic foot per second,  
14 or the entire quantity of the natural flow of an unnamed spring channel, or  
15 as much thereof as he directly applies to beneficial use, through the Patton  
16 Spring Ditch, all of said water to be diverted at a point which bears approx-  
17 imately North 45° 00' East, approximately 375 feet distant from the quarter  
18 corner common to Sections 19 and 20, Township 34 North, Range 1 East,  
19 M.D.B. and M., being within the Southwest quarter of the Northwest quarter  
20 of said Section 20; and all of said water shall be used for domestic and  
21 stock watering purposes and for the irrigation of 86.2 acres of his lands  
22 described hereinbefore in paragraph (38th); and said E. C. Frisbie is at all  
23 times entitled to divert the entire natural flow of an unnamed spring, or as  
24 much thereof as he directly applies to beneficial use, all of said water to  
25 be diverted at a point which bears approximately North 2° 30' East, approx-  
26 imately 2100 feet distant from the quarter corner common to Sections 19 and  
27 20, Township 34 North, Range 1 East, M.D.B. and M., being within the North-  
28 west quarter of the Southeast quarter of said Section 19; and all of said  
29 water shall be used for domestic and stock watering purposes and for the  
30 irrigation of that portion of his lands described as follows:

31  $\frac{4.9}{4.9}$  acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 19, T 34 N, R 1 E, M.D.B. & M.  
4.9 acres - Total

1           IT IS FURTHER ORDERED, ADJUDGED, AND DECREED, subject to all of the  
2 foregoiing rights and provisions, as follows, to-wit:

3           (40th) The parties to this action are entitled to an equal and  
4 correlative right in and to the use of waters of North Cow Creek and its  
5 tributaries during the period between May first and October thirtieth of each  
6 year, as hereinafter provided; and nothing herein contained shall be con-  
7 strued as in any way limiting or restricting the rights of the various parties  
8 hereto, who require water from North Cow Creek and its tributaries outside of  
9 said period, to divert and use such of the waters of said stream system as  
10 they may be legally entitled to, during the period between October thirtieth  
11 of each year and May first of the succeeding year.

12           (41st) The various parties to this action are divided into three  
13 classes, known as Cedar Creek Users, North Cow Creek Class A Users, and North  
14 Cow Creek Class B Users, as set forth, respectively, in Schedules II, III and  
15 IV, hereunto annexed and made a part hereof.

16           (42nd) All of the allotments of water hereinafter provided for  
17 said Cedar Creek Users, North Cow Creek Class A Users, and North Cow Creek  
18 Class B Users shall be diverted from the North Cow Creek stream system at the  
19 present intakes of the respective ditches of said Users, as said intakes are  
20 described in Schedule VIII, hereunto annexed and made a part hereof.

21           (43rd) During the period between May first and October thirtieth  
22 of each year, the Cedar Creek Users are entitled to divert water from the  
23 natural flow of Cedar Creek and its tributaries through their respective  
24 ditches, and to use the same for domestic and stock watering purposes, and  
25 for the irrigation of their respective lands as described in Schedule I  
26 hereof;  
27 provided, that the respective amounts of water to which said Cedar Creek Users  
28 are so entitled shall be limited to the amounts of water beneficially used  
29 for said purposes, and shall not exceed the respective maximum irrigation  
30 allotments specified in Schedule II hereof.

31           (44th) At any time during the period between May first and October

1 thirtieth of each year when the natural flow of Cedar Creek is in excess of  
2 that necessary to supply the total allotments therefrom to the Cedar Creek  
3 Users as hereinabove provided in paragraph (43rd), then, during the continuance  
4 of such excess, Mrs. Lillie M. Spaulding and Alex Hansen may divert their  
5 respective irrigation allotments as hereinafter provided in paragraphs (48th)  
6 and (49th), all or in part, from such excess, through the Haley-Spaulding and  
7 McCandless Ditches, respectively, in lieu of diverting said allotments from  
8 the North Fork of North Cow Creek, or Minnie Gulch, through the Benbow Ditch.

9 (45th) At any time during the period between May first and October  
10 thirtieth of each year when the natural flow of Cedar Creek and its tributaries  
11 is inadequate to supply the total allotments therefrom to the Cedar Creek Users  
12 as hereinabove provided in paragraph (43rd), then, during the continuance of  
13 such shortage, said Cedar Creek Users shall divide the available water supply  
14 of said Cedar Creek and its tributaries, in the ratios that their respective  
15 maximum irrigation allotments, as specified in Schedule II, hereof, bear to  
16 the total of their maximum irrigation allotments provided in said Schedule II.  
17 The test of the apportionment of the ratios provided for in this paragraph,  
18 in the case of such water shortage, shall be whether or not the Cedar Creek  
19 Users are receiving their respective ratios, at the respective points of  
20 measurement of their allotments as hereinafter provided in paragraph (62nd).

21 (46th) At all times during the period between May first and  
22 October thirtieth of each year when the "net available water supply of North  
23 Cow Creek and its tributaries", as hereinafter defined in paragraph (65th),  
24 is in excess of 28.60 cubic feet per second, the North Cow Creek Class A  
25 Users and the North Cow Creek Class B Users are entitled to continuously  
26 divert water from the natural flow of North Cow Creek and its tributaries,  
27 through their respective ditches, and to use the same for domestic and stock  
28 watering purposes, and for the irrigation of their respective lands as des-  
29 cribed in Schedule I hereof; provided, that the respective continuous flow  
30 diversions to which said North Cow Creek Class A Users and North Cow Creek  
31 Class B Users are so entitled, shall be limited to the amounts of water

1 beneficially used for said purposes, and shall not exceed the respective  
2 maximum irrigation allotments specified in Schedules III and IV hereof;  
3 provided, further, that at all times during the period between May first and  
4 October thirtieth of each year, when the "net available water supply of North  
5 Cow Creek and its tributaries" is in excess of 28.60 cubic feet per second but  
6 inadequate to supply the full continuous flow allotments hereinabove provided  
7 in this paragraph for the North Cow Creek Class A Users and North Cow Creek  
8 Class B Users, then the "net available water supply of North Cow Creek and its  
9 tributaries" shall be divided among said North Cow Creek Class A Users and  
10 said North Cow Creek Class B Users in the ratios that their respective  
11 maximum irrigation allotments as provided in said Schedules III and IV bear  
12 to the total of the maximum irrigation allotments provided in said Schedules  
13 III and IV. The test of apportionment of the ratios provided for in this  
14 paragraph, in the case of such water shortage, shall be whether or not the  
15 North Cow Creek Class A Users and the North Cow Creek Class B Users are  
16 receiving their respective ratios, at the respective points of measurement  
17 of their allotments as hereinafter provided in paragraph (62nd); and provided,  
18 further, that the owners of the Pehrson-Grant-Jones Ditch shall at all times  
19 be entitled to divert a minimum of 0.80 cubic foot per second.

20 (47th) The period between 8:00 o'clock A. M., on May first and  
21 8:00 o'clock A. M., on October thirtieth of each and every year is divided  
22 into 26 irrigation periods, as set forth in Schedule V, hereunto annexed  
23 and made a part hereof.

24 (48th) At all times during the first, third, fifth, seventh, ninth,  
25 eleventh, thirteenth, fifteenth, seventeenth, nineteenth, twenty-first,  
26 twenty-third, and twenty-fifth irrigation periods, as set forth in Schedule  
27 V hereof, when the "net available water supply of North Cow Creek and its  
28 tributaries" is less than 28.60 cubic feet per second, the North Cow Creek  
29 Class A Users are entitled to divert water from the natural flow of North Cow  
30 Creek and its tributaries through their respective ditches, and to use the  
31 same for domestic and stock watering purposes, and for the irrigation of their

1     respective lands as described in Schedule I hereof; provided, that the  
2     respective amounts of water to which said North Cow Creek Class A Users are  
3     so entitled shall be limited to the amounts of water beneficially used for  
4     said purposes, and shall not exceed the maximum irrigation allotments  
5     specified in Schedule III, hereof.

6             (49th) At all times during the second, fourth, sixth, eighth, tenth,  
7     twelfth, fourteenth, sixteenth, eighteenth, twentieth, twenty-second, twenty-  
8     fourth, and twenty-sixth irrigation periods, as set forth in Schedule V  
9     hereof, when the "net available water supply of North Cow Creek and its  
10    tributaries" is less than 28.60 cubic feet per second, the North Cow Creek  
11    Class B Users are entitled to divert water from the natural flow of North  
12    Cow Creek and its tributaries through their respective ditches, and to use the  
13    same for domestic and stock watering purposes, and for the irrigation of their  
14    respective lands as described in Schedule I hereof; provided, that the  
15    respective amounts of water to which said North Cow Creek Class B Users are  
16    so entitled shall be limited to the amounts of water beneficially used for  
17    said purposes, and shall not exceed the maximum irrigation allotments  
18    specified in Schedule IV hereof.

19             (50th) During the first, third, fifth, seventh, ninth, eleventh,  
20    thirteenth, fifteenth, seventeenth, nineteenth, twenty-first, twenty-third,  
21    and twenty-fifth irrigation periods, the North Cow Creek Class B Users are  
22    at all times entitled to divert from the natural flow of North Cow Creek and  
23    its tributaries through their respective ditches, their respective minimum  
24    allotments specified in Schedule VI, hereunto annexed and made a part hereof,  
25    for use for domestic and stock watering purposes, and to prevent damage which  
26    might otherwise be caused by their ditches remaining entirely dry; provided,  
27    however, that any water so diverted, over and above ~~that~~ consumed for said  
28    purposes, and that necessarily lost in transportation, shall be directly  
29    returned to the natural channel of North Cow Creek or one of its tributaries,  
30    in all cases where such return is reasonably possible.

31             (51st) During the second, fourth, sixth, eighth, tenth, twelfth,

1 fourteenth, sixteenth, eighteenth, twentieth, twenty-second, twenty-fourth,  
2 and twenty-sixth irrigation periods, the North Cow Creek Class A Users are  
3 at all times entitled to divert from the natural flow of North Cow Creek and  
4 its tributaries through their respective ditches, their respective minimum  
5 allotments specified in Schedule VI hereof, for use for domestic and stock  
6 watering purposes, and to prevent damage which might otherwise be caused by  
7 their ditches remaining entirely dry; provided, however, that any water so  
8 diverted, over and above that consumed for said purposes, and that necessarily  
9 lost in transportation, shall be directly returned to the natural channel of  
10 North Cow Creek or one of its tributaries, in all cases where such return is  
11 reasonably possible and as hereinafter set forth in paragraph (58th).

12 (52nd) At all times during the first, third, fifth, seventh,  
13 ninth, eleventh, thirteenth, fifteenth, seventeenth, nineteenth, twenty-first,  
14 twenty-third, and twenty-fifth irrigation periods, when the natural flow of  
15 North Cow Creek and its tributaries is inadequate to supply the maximum  
16 irrigation allotments therefrom to the North Cow Creek Class A Users, as  
17 hereinabove provided in Paragraph (48th) and at the same time supply the  
18 minimum allotments to the North Cow Creek Class B Users as hereinabove  
19 provided in Paragraph (50th), then, during the continuance of such shortage,  
20 the North Cow Creek Class A Users shall divide the net available water supply  
21 of said North Cow Creek and its tributaries over and above the amount of water  
22 necessary to supply said minimum allotments, in the ratios that their maximum  
23 irrigation allotments as specified in Schedule III hereof, bear to the total  
24 of their maximum irrigation allotments provided in said Schedule III. The  
25 test of the apportionment of the ratios provided for in this paragraph, in  
26 the case of such water shortage, shall be whether or not the North Cow Creek  
27 Class A Users are receiving their respective ratios, at the respective  
28 points of measurement of their allotments as hereinafter provided in para-  
29 graph (62nd).

30 (53rd) At all times during the second, fourth, sixth, eighth,  
31 tenth, twelfth, fourteenth, sixteenth, eighteenth, twentieth, twenty-second

1 twenty-fourth, and twenty-sixth irrigation periods, when the natural flow of  
2 North Cow Creek and its tributaries is inadequate to supply the maximum  
3 irrigation allotments therefrom to the North Cow Creek Class B Users, as here-  
4 inabove provided in Paragraph (49th), and at the same time supply the minimum  
5 allotments to the North Cow Creek Class A Users as hereinabove provided in  
6 paragraph (51st), then, during the continuance of such shortage, the North  
7 Cow Creek Class B Users shall divide the net available water supply of said  
8 North Cow Creek and its tributaries, over and above the amount of water  
9 necessary to supply said minimum allotments, in the ratios that their maximum  
10 irrigation allotments as specified in Schedule IV hereof, bear to the total of  
11 their maximum irrigation allotments provided in said Schedule IV. The test of  
12 the apportionment of the ratios provided for in this paragraph, in the case of  
13 such shortage, shall be whether or not the North Cow Creek Class B Users are  
14 receiving their respective ratios, at the respective points of measurement of  
15 their allotments as hereinafter provided in paragraph (62nd).

16 (54th) Whenever there is a surplus of water in North Cow Creek and  
17 its tributaries over and above the flow necessary to supply all of the rights  
18 hereinabove provided, then such surplus water may be apportioned among the  
19 parties hereto for use for domestic and stock watering purposes and for the  
20 irrigation of their respective lands as described in Schedule I hereof, in  
21 the ratios that their respective total irrigated areas, as set forth in said  
22 Schedule I, bear to the total of the irrigated areas included in said Schedule  
23 I; provided, however, that the amounts of surplus water so diverted shall be  
24 limited to the amounts of water beneficially used for said purposes.

25 (55th) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the  
26 provisions of paragraphs (40th) to (54th), inclusive, hereof, shall not  
27 apply to or restrict the uses by any of the parties, or their successors,  
28 of the waters under the rights set forth in paragraphs (4th) to (39th),  
29 inclusive, hereof.

30 (56th) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that nothing  
31 herein contained shall be construed so as to prevent any of the parties hereto,

1 having a joint ditch, where there is a continuous flow allotment to said ditch,  
2 from employing by agreement of such joint users of said ditch, a system of  
3 rotation as among themselves different or independent of the one hereinbefore  
4 set forth, or from preventing any of the parties hereto from using all or any  
5 portion of their respective allotments on all or any portion of their respect-  
6 ive lands, so long as the maximum quantity of water shall not exceed the  
7 maximum allotment awarded to their entire lands, except as otherwise herein  
8 provided in paragraphs (38th) and (39th).

9 Nor shall anything herein contained be construed so as to prevent  
10 the sale, exchange or lease of the use of any water herein allotted; provided,  
11 however, that no sale, exchange or lease shall be made of water used in one  
12 class for use in the opposite class; and provided, further, that no such  
13 agreed method of rotation or sale or lease shall materially affect the system  
14 of rotation herein provided for.

15 (57th) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that upon  
16 request of any party hereto, the Division of Water Resources of the Department  
17 of Public Works of the State of California, or its successor, as the same is  
18 now or may hereafter be constituted, may investigate, and if upon investigation  
19 it appears to said Division that necessity therefor exists, said Division,  
20 or in case said Division shall fail to act, then the judge of the Superior  
21 Court of Shasta County, may appoint a water master to distribute the waters  
22 of North Cow Creek and its tributaries in accordance with this decree, and  
23 said water master, when so appointed, shall have power and authority to  
24 inspect and regulate the diversions of all the parties hereto in accordance  
25 with this decree, and in the exercise of such authority may enter upon the  
26 lands of said parties for the purpose of such inspection and regulation and  
27 may establish and maintain such gaging stations and measuring devices, and  
28 require such diversion works to be constructed in such streams and such  
29 head-gates to be installed in the diversion ditches, as may be necessary or  
30 convenient. The water master, when so appointed, or his successor, shall  
31 continue in authority until October thirtieth of the irrigation season for

1 which he was appointed unless otherwise agreed to by all parties hereto, but  
2 shall not hold over from one irrigation season to another. All costs and  
3 expense of distribution of water through the agency of such water master,  
4 incurred by the said Division of Water Resources, or by the water master in the  
5 event that his appointment is made by the judge of the Superior Court of Shasta  
6 County, shall be borne by the parties hereto, in the ratios that the respective  
7 continuous flow equivalents of their allotments, as provided in Schedule VII,  
8 hereunto annexed and made a part hereof, bear to the total of such continuous  
9 flow equivalents provided in said Schedule VII, and said costs shall be  
10 subject to the supervision and control of said Court.

11 (58th) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that it shall  
12 be the further duty of any water master, appointed under the provisions of  
13 paragraph (57th) hereof, to provide for the direct return to North Cow Creek  
14 of any waste water which may be discharged from the Eldridge House Ditch  
15 on the G. R. Eldridge place.

16 (59th) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the  
17 owners of each ditch through which water is diverted from North Cow Creek or  
18 its tributaries as herein provided, shall install, under the supervision of  
19 an engineer appointed by the Division of Water Resources, such permanent  
20 headgates and measuring devices as shall be required and approved by said  
21 Division of Water Resources; such installations to be made prior to July 1,  
22 1932, or such later date as may be ordered by the above entitled court. The  
23 several ditch owners shall furnish all necessary labor and material for the  
24 construction and installation of said headgates and measuring devices in their  
25 respective ditches, and the cost of supervision as herein provided shall be  
26 borne by the parties hereto, in the ratios that the respective continuous flow  
27 equivalents of their allotments, as provided in Schedule VII, hereof, bear to  
28 the total of such continuous flow equivalents provided in said Schedule VII.

29 (60th) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that such  
30 stream flow gaging stations be established in the channel of North Cow Creek  
31 and its tributaries as will enable a determination from rating of such

1 stations of the quantity of water to which the parties hereto are entitled;  
2 that such stations shall be constructed, installed and rated under the super-  
3 vision of an engineer appointed by the Division of Water Resources of the  
4 Department of Public Works of the State of California and the cost of the  
5 installation of such gaging stations shall be borne by the parties hereto in  
6 the ratios that the respective continuous flow equivalents of their allot-  
7 ments as provided in Schedule VII hereof, bear to the total of such continuous  
8 flow equivalents provided in said Schedule VII; and said engineer shall make  
9 available all ratings of such stations for the use of the parties hereto.

10 (61st) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that A. F.  
11 Pehrson, Jesse Grant and C. B. Jones, as the owners of the Pehrson-Grant-Jones  
12 Ditch, are hereby given the right to store above the head of said ditch the  
13 storm waters of North Cow Creek during the non-irrigation season and they  
14 shall have the right to the use of such stored waters in addition to their  
15 allotments herein; provided, that any dam and works by which such water is  
16 stored shall not be so operated as to interfere with the natural flow of the  
17 stream of North Cow Creek during the irrigation season; and provided, further,  
18 that nothing herein shall be construed as limiting or restricting the right  
19 of any party to the above entitled action to divert the waters of North Cow  
20 Creek or its tributaries into storage during the non-irrigation season  
21 provided that such storage and use shall not interfere with the natural flow  
22 of the stream of North Cow Creek during the irrigation season,

23 (62nd) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the  
24 points of measurement of all allotments hereinbefore provided shall be at  
25 the respective points of diversion from the stream system, except that the  
26 allotments to the Frisbie and Dozier Ditch shall be measured at the point  
27 where said ditch passes over the saddle between the North Cow Creek drainage  
28 area and the Mill Creek drainage area, that the allotments to the Welch and  
29 Strayer Ditch shall be measured at the flume crossing on the South Fork of  
30 Mill Creek.

31 (63rd) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the

1 term "directly apply to beneficial use", as herein used, shall be construed  
2 to designate the direct conveyance and application of water diverted to  
3 beneficial use without intermediate storage, except such regulatory storage  
4 as may be practiced for the purpose of equalizing the flow of water diverted  
5 to a convenient irrigation head, or except as otherwise herein provided.

6 (64th) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the  
7 term "natural flow", as herein used, shall be construed to designate such  
8 flow as will naturally occur at any given point in a stream from the run-off  
9 of the watershed which it drains, from springs which naturally contribute to  
10 the stream, from seepage, and from waste and return flow from dams, conduits  
11 and irrigated lands; as distinguished from released stored water and from  
12 "foreign water" directly conveyed to the stream from another watershed.

13 (65th) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the term  
14 "net available water supply of North Cow Creek and its tributaries", as  
15 herein used, shall be construed to designate the total amount of water avail-  
16 able for diversion by all of the various conduits diverting from North Cow  
17 Creek and its tributaries with the exception of those diverting from Mill  
18 Creek and Cedar Creek; i. e. the water crop of North Cow Creek and all of  
19 its tributaries with the exception of Mill and Cedar Creeks, plus the inflows  
20 from Mill and Cedar Creeks at their respective junctions with North Cow Creek,  
21 plus all waste and return flows to the stream system (except to Mill and Cedar  
22 Creeks) from dams, conduits and irrigated lands, less all channel losses in  
23 the stream system (except those occurring in the channels of Mill and Cedar  
24 Creeks); said "net available water supply of North Cow Creek and its  
25 tributaries" at any given time to be determined by combining the total of all  
26 quantities of water being diverted from the stream system (except from Mill  
27 Creek and Cedar Creek) with the flow of North Cow Creek immediately below  
28 all diversions at the time.

29 (66th) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that each  
30 and every party to this action, his or her agents, successors, grantees and  
31 assigns, be, and they are hereby perpetually enjoined and restrained from

1 doing anything in violation of the terms or provisions of this decree, or  
2 diverting any water from said North Cow Creek and its tributaries at any time  
3 in violation of the terms hereof, or from doing anything that will obstruct  
4 or interfere with any other right in this decree adjudged and decreed.

5 (67th) IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that action  
6 against F. H. Kenyon in the above entitled case be dismissed; that nothing  
7 in this decree shall be construed as affecting or relating to any rights  
8 or interests of E. L. Smith and Frances Smith, said Smiths not having been  
9 served with summons and complaint in said action; and that the rights here-  
10 inbefore decreed to C. S. Erickson in paragraphs (8th), (9th), and (10th)  
11 are the only rights to water that he has in North Cow Creek and its trib-  
12 utaries, said C. S. Erickson and Nellie M. Erickson, his wife, having waived  
13 claim to all rights to divert from Cedar Creek.

14 (68th) FINALLY IT IS ORDERED, ADJUDGED, AND DECREED that each  
15 party hereto shall pay his own costs; that the expenses incurred by said  
16 Division of Water Resources and its predecessor, the Division of Water Rights,  
17 as referee, as set forth in the Report of Referee, Supplemental Report of  
18 Referee, and Second Supplemental Report of Referee on file in this action  
19 shall be borne by the parties hereto in the following proportion;

| 20 | <u>Name</u>                                | <u>Portion of Expense</u> |
|----|--|---------------------------|
| 21 | Erick Anderson                             | \$ 4.50                   |
|    | Evert G. Angle                             | 38.30                     |
| 22 | J. G. Asher                                | 22.55                     |
|    | J. E. Baker                                | 36.05                     |
| 23 | James W. Ballard                           | 38.30                     |
|    | Ida L. Bidwell                             | 153.08                    |
| 24 | H. O. Bishop                               | 19.50                     |
|    | W. A. Bogue and D. G. Hunt, Jr.            | 17.35                     |
| 25 | Carrie L. Boyle                            | 19.50                     |
|    | H. H. Butzbach                             | 22.55                     |
| 26 | California Zinc Company                    | 43.40                     |
|    | W. A. Calkins                              | 17.35                     |
| 27 | J. G. Chatham                              | 28.20                     |
|    | George R. Eldridge                         | 119.30                    |
| 28 | Richard Ellerkamp                          | 9.00                      |
|    | E. C. English                              | 38.30                     |
| 29 | Francis R. Fassett and Holly Adams Fassett | 45.55                     |
|    | Jesse Grant                                | 49.60                     |
| 30 | J. G. Hadley                               | 31.55                     |
|    | Alonzo Haley                               | 49.60                     |
| 31 | Alex Hansen                                | 47.35                     |
|    | John Passons                               | 36.85 (paid)              |

|    |   |                  |
|----|---|------------------|
| 1  | Mrs. August I. Hobson                     | 80.25            |
|    | L. S. Holcomb                             | 56.40            |
| 2  | C. B. Jones                               | 49.60            |
|    | Charles L. Lemm                           | 177.85           |
| 3  | Louisa Lemm                               | 8.70             |
|    | Luella Lofton                             | 28.20            |
| 4  | John W. Maxwell and Mae Belle Phillips    | 38.30            |
|    | Arthur, Melvin, Oscar and Christine Olson | 56.40            |
| 5  | A. F. Pehrson                             | 97.60            |
|    | Lillie Grace Phillips                     | 9.00             |
| 6  | Emil Plaetke                              | 42.80            |
|    | Red River Lumber Company                  | 156.15           |
| 7  | Edward Rice                               | 38.30            |
|    | O. L. Rose                                | 38.30            |
| 8  | Wilford E. Ross and John Q. Cox           | 74.40            |
|    | Kate Rowe                                 | 11.25            |
| 9  | George Rutherford                         | 11.25            |
|    | John Rutherford                           | 28.20            |
| 10 | L. J. Sharp                               | 28.20            |
|    | Mrs. Lillie M. Spaulding                  | 47.35            |
| 11 | Emma A. Thomas                            | 38.30            |
|    | R. A. Ward                                | 93.25            |
| 12 | Roy Wilsey                                | 67.25            |
|    | Redding Savings Bank                      | 31.55            |
| 13 | Walter Melton                             | 2.25             |
|    | E. C. Frisbie                             | 46.46            |
| 14 | Total                                     | <u>\$2245.29</u> |

15 that \$10.85, the balance of the amount due from the parties hereto to said  
16 Division of Water Resources for expenses incurred in Water Master services  
17 rendered during the 1930 season, as set forth in the Supplemental Report of  
18 Referee on file in this action, shall be paid by Alonzo Haley; that the balance  
19 of the amount due from the parties hereto to said Division of Water Resources  
20 for expenses incurred in water master services rendered during the 1931 season,  
21 as set forth in the Second Supplemental Report of Referee on file in this  
22 action shall be borne by the following parties in the following proportion:

| 23 | <u>Name</u>           | <u>Portion of Expense</u> |
|----|-----------------------|---------------------------|
| 24 | Alonzo Haley          | \$ 10.85                  |
|    | V. Rozum and B. Rozum | 12.80                     |
| 25 | Luella Lofton         | 6.40                      |
|    | Total                 | <u>\$ 30.05</u>           |

26 and the parties hereto shall pay all assessments and apportionments set forth  
27 in this paragraph to the clerk of this Court, except the \$36.85 due from  
28 John Passons which has already been paid, within thirty days from the date of  
29 this decree, said clerk to transmit said sums when paid to said Division of  
30 Water Resources, 401 Public Works Building, Sacramento, California.

31 Done in open court this 29th day of April, 1932.

Filed April 29, 1932  
Errol A. Yank  
Clerk  
By Ruth A. Presleigh  
Deputy Clerk

(Signed) Walter E. Herzinger  
Judge of Said Superior Court

SCHEDULE I

DESCRIPTION OF IRRIGATED LANDS

ERICK ANDERSON:

2.4 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 29, T 32 N, R 3 W, M.D.B.& M.  
2.4 acres - Total

EVERT G. ANGLE:

2.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 12, T 33 N, R 1 W, M.D.B.& M.  
1.8 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 12, T 33 N, R 1 W, M.D.B.& M.  
5.4 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 12, T 33 N, R 1 W, M.D.B.& M.  
9.2 acres - Total

*oak Run*

J. G. ASHER:

5.2 acres in Lot 3, Sec. 1, T 33 N, R 2 W, M.D.B.& M.  
2.1 acres in Lot 4, Sec. 1, T 33 N, R 2 W, M.D.B.& M.  
4.8 acres in Lot 1, Sec. 2, T 33 N, R 2 W, M.D.B.& M.  
1.4 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 36, T 34 N, R 2 W, M.D.B.& M.  
1.1 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 36, T 34 N, R 2 W, M.D.B.& M.  
14.6 acres - Total

J. E. BAKER:

7.1 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 5, T 33 N, R 1 W, M.D.B.& M.  
2.9 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 5, T 33 N, R 1 W, M.D.B.& M.  
13.4 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 4, T 33 N, R 1 W, M.D.B.& M.  
23.4 acres - Total

JAMES W. BALLARD:

5.8 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30, T 33 N, R 1 W, M.D.B.& M.  
6.3 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, T 33 N, R 1 W, M.D.B.& M.  
12.1 acres - Total

*oak Run*

IDA L. BIDWELL:

4.2 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 2, T 34 N, R 1 W, M.D.B.& M.  
8.1 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 11, T 34 N, R 1 W, M.D.B.& M.  
29.2 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 11, T 34 N, R 1 W, M.D.B.& M.  
13.4 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 11, T 34 N, R 1 W, M.D.B.& M.  
34.2 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 11, T 34 N, R 1 W, M.D.B.& M.  
10.9 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 11, T 34 N, R 1 W, M.D.B.& M.  
100.0 acres - Total

H. O. BISHOP:

8.7 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 17, T 34 N, R 1 E, M.D.B.& M.  
0.4 acre in NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 20, T 34 N, R 1 E, M.D.B.& M.  
9.1 acres - Total

W. A. BOGUE AND D. G. HUNT, JR.:

2.9 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 32, T 32 N, R 3 W, M.D.B.& M.  
8.2 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 32, T 32 N, R 3 W, M.D.B.& M.  
11.1 acres - Total

SCHEDULE I. (Continued)

CARRIE L. BOYLE:

0.6 acre in NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 32, T 32 N, R 3 W, M.D.B.& M.  
8.2 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 32, T 32 N, R 3 W, M.D.B.& M.  
2.1 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 32, T 32 N, R 3 W, M.D.B.& M.  
1.0 acre in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 32, T 32 N, R 3 W, M.D.B.& M.  
0.3 acre in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 32, T 32 N, R 3 W, M.D.B.& M.  
12.2 acres - Total

H. H. BUTZBACH:

0.5 acre in Lot 2, Sec. 5, T 31 N, R 3 W, M.D.B.& M.  
2.8 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 5, T 31 N, R 3 W, M.D.B.& M.  
0.4 acre in Lot 1, Sec. 5, T 31 N, R 3 W, M.D.B.& M.  
11.8 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 5, T 31 N, R 3 W, M.D.B.& M.  
15.5 acres - Total

W. A. CALKINS:

7.2 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 26, T 34 N, R 1 W, M.D.B.& M.  
2.8 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 26, T 34 N, R 1 W, M.D.B.& M.  
10.0 acres - Total

J. G. CHATHAM:

18.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 20, T 32 N, R 3 W, M.D.B.& M.  
18.0 acres - Total

G. R. ELDRIDGE:

3.5 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 4, T 33 N, R 1 W, M.D.B.& M.  
3.7 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 4, T 33 N, R 1 W, M.D.B.& M.  
1.7 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 4, T 33 N, R 1 W, M.D.B.& M.  
24.7 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 4, T 33 N, R 1 W, M.D.B.& M.  
1.4 acres in Lot 4, Sec. 4, T 33 N, R 1 W, M.D.B.& M.  
13.5 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 4, T 33 N, R 1 W, M.D.B.& M.  
6.1 acres in Lot 1, Sec. 5, T 33 N, R 1 W, M.D.B.& M.  
11.5 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 5, T 33 N, R 1 W, M.D.B.& M.  
13.8 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 5, T 33 N, R 1 W, M.D.B.& M.  
0.2 acre in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 5, T 33 N, R 1 W, M.D.B.& M.  
80.1 acres - Total

RICHARD ELLERKAMP:

1.5 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 36, T 34 N, R 1 W, M.D.B.& M.  
1.5 acres - Total

E. C. ENGLISH:

9.9 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 35, T 33 N, R 2 W, M.D.B.& M.  
18.3 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 35, T 33 N, R 2 W, M.D.B.& M.  
13.4 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 35, T 33 N, R 2 W, M.D.B.& M.  
41.6 acres - Total

7

SCHEDULE I. (Continued)

FRANCIS R. FASSETT AND HOLLY ADAMS FASSETT:

6.1 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 31, T 34 N, R 1 E, M.D.B.& M.  
1.8 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 31, T 34 N, R 1 E, M.D.B.& M.  
0.1 acre in SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 31, T 34 N, R 1 E, M.D.B.& M.  
1.1 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 31, T 34 N, R 1 E, M.D.B.& M.  
0.4 acre in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 31, T 34 N, R 1 E, M.D.B.& M.  
0.6 acre in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 31, T 34 N, R 1 E, M.D.B.& M.  
10.1 acres - Total

JESSE GRANT:

20.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 34, T 34 N, R 1 W, M.D.B.& M.  
1.0 acre in NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 34, T 34 N, R 1 W, M.D.B.& M.  
13.1 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 34, T 34 N, R 1 W, M.D.B.& M.  
34.1 acres - Total

J. G. HADLEY:

1.6 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 28, T 34 N, R 1 W, M.D.B.& M.  
3.5 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 28, T 34 N, R 1 W, M.D.B.& M.  
6.9 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 28, T 34 N, R 1 W, M.D.B.& M.  
0.7 acre in SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 28, T 34 N, R 1 W, M.D.B.& M.  
1.0 acre in SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 28, T 34 N, R 1 W, M.D.B.& M.  
7.1 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 29, T 34 N, R 1 W, M.D.B.& M.  
20.8 acres - Total

ALONZO HALEY:

1.1 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 14, T 34 N, R 1 W, M.D.B.& M.  
1.2 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 14, T 34 N, R 1 W, M.D.B.& M.  
7.4 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 14, T 34 N, R 1 W, M.D.B.& M.  
16.3 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 14, T 34 N, R 1 W, M.D.B.& M.  
6.6 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 14, T 34 N, R 1 W, M.D.B.& M.  
32.6 acres - Total

ALEX HANSEN:

8.9 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 23, T 34 N, R 1 W, M.D.B.& M.  
15.4 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 23, T 34 N, R 1 W, M.D.B.& M.  
6.2 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 23, T 34 N, R 1 W, M.D.B.& M.  
0.1 acre in SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 23, T 34 N, R 1 W, M.D.B.& M.  
30.6 acres - Total

JOHN PASSONS:

9.7 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, T 33 N, R 2 W, M.D.B.& M.  
1.5 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 25, T 33 N, R 2 W, M.D.B.& M.  
11.2 acres - Total

MRS. AUGUSTA I. HOBSON:

✓ 0.5 acre in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 5, T 33 N, R 1 W, M.D.B.& M.  
✓ 6.3 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 5, T 33 N, R 1 W, M.D.B.& M.  
4.9 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 5, T 33 N, R 1 W, M.D.B.& M.  
9.6 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 6, T 33 N, R 1 W, M.D.B.& M.  
5.2 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 6, T 33 N, R 1 W, M.D.B.& M.  
12.7 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 6, T 33 N, R 1 W, M.D.B.& M.  
5.2 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 6, T 33 N, R 1 W, M.D.B.& M.  
7.1 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 6, T 33 N, R 1 W, M.D.B.& M.  
2.5 acres in Lot 3, Sec. 6, T 33 N, R 1 W, M.D.B.& M.  
53.9 acres - Total

*Oak Run*

SCHEDULE I (Continued)

V. ROZUM AND B. ROZUM:

32.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 20, T 32 N, R 3 W, M.D.B.& M.  
0.6 acre in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 20, T 32 N, R 3 W, M.D.B.& M.  
2.3 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 20, T 32 N, R 3 W, M.D.B.& M.  
11.1 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 20, T 32 N, R 3 W, M.D.B.& M.  
46.0 acres - Total

C. B. JONES:

4.3 acres in Lot 4, Sec. 2, T 33 N, R 1 W, M.D.B.& M.  
1.3 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 2, T 33 N, R 1 W, M.D.B.& M.  
13.5 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 34, T 34 N, R 1 W, M.D.B.& M.  
11.9 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 34, T 34 N, R 1 W, M.D.B.& M.  
1.9 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 34, T 34 N, R 1 W, M.D.B.& M.  
32.9 acres - Total

CHARLES L. LEMM:

2.8 acres in Lot 3, Sec. 2, T 32 N, R 3 W, M.D.B.& M.  
13.9 acres in Lot 4, Sec. 2, T 32 N, R 3 W, M.D.B.& M.  
2.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 35, T 33 N, R 3 W, M.D.B.& M.  
22.4 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 35, T 33 N, R 3 W, M.D.B.& M.  
2.7 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 35, T 33 N, R 3 W, M.D.B.& M.  
20.8 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 35, T 33 N, R 3 W, M.D.B.& M.  
21.7 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 35, T 33 N, R 3 W, M.D.B.& M.  
13.2 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 35, T 33 N, R 3 W, M.D.B.& M.  
1.3 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 36, T 33 N, R 3 W, M.D.B.& M.  
6.4 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 36, T 33 N, R 3 W, M.D.B.& M.  
107.2 acres - Total

LUELLA LOFTON:

2.8 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 20, T 32 N, R 3 W, M.D.B.& M.  
2.8 acres - Total

JOHN W. MAXWELL AND MAE BELLE PHILLIPS:

4.2 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 13, T 33 N, R 1 W, M.D.B.& M.  
3.2 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 13, T 33 N, R 1 W, M.D.B.& M.  
12.1 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 14, T 33 N, R 1 W, M.D.B.& M.  
19.5 acres - Total

ARTHUR OLSON, MELVIN OLSON, OSCAR OLSON AND CHRISTINE OLSON:

15.6 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 29, T 32 N, R 3 W, M.D.B.& M.  
10.9 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 29, T 32 N, R 3 W, M.D.B.& M.  
11.6 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 29, T 32 N, R 3 W, M.D.B.& M.  
7.7 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  Sec. 29, T 32 N, R 3 W, M.D.B.& M.  
45.8 acres - Total

EMIL PLAETKE:

1.6 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30, T 34 N, R 1 E, M.D.B.& M.  
6.1 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 30, T 34 N, R 1 E, M.D.B.& M.  
5.5 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 30, T 34 N, R 1 E, M.D.B.& M.  
0.6 acre in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 30, T 34 N, R 1 E, M.D.B.& M.  
13.4 acres in Lot 3, Sec. 30, T 34 N, R 1 E, M.D.B.& M.  
1.9 acres in Lot 2, Sec. 30, T 34 N, R 1 E, M.D.B.& M.  
29.1 acres - Total

see Tract 124

SCHEDULE I (Continued)

A. F. PEHRSON:

9.7 acres in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> Sec. 27, T 34 N, R 1 W, M.D.B.& M.  
1.1 acres in NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> Sec. 27, T 34 N, R 1 W, M.D.B.& M.  
4.7 acres in SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> Sec. 27, T 34 N, R 1 W, M.D.B.& M.  
17.8 acres in SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> Sec. 27, T 34 N, R 1 W, M.D.B.& M.  
6.3 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> Sec. 34, T 34 N, R 1 W, M.D.B.& M.  
21.8 acres in NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> Sec. 34, T 34 N, R 1 W, M.D.B.& M.  
2.9 acres in NW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> Sec. 34, T 34 N, R 1 W, M.D.B.& M.  
64.3 acres - Total

RED RIVER LUMBER COMPANY:

0.3 acre in NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> Sec. 16, T 32 N, R 3 W, M.D.B.& M.  
23.6 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> Sec. 17, T 32 N, R 3 W, M.D.B.& M.  
7.6 acres in NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> Sec. 17, T 32 N, R 3 W, M.D.B.& M.  
9.1 acres in SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> Sec. 17, T 32 N, R 3 W, M.D.B.& M.  
24.5 acres in SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> Sec. 17, T 32 N, R 3 W, M.D.B.& M.  
3.9 acres in Lot 4, Sec. 19, T 34 N, R 1 E, M.D.B.& M.  
3.0 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> Sec. 20, T 32 N, R 3 W, M.D.B.& M.  
26.2 acres in NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> Sec. 20, T 32 N, R 3 W, M.D.B.& M.  
6.9 acres in Lot 1, Sec. 30, T 34 N, R 1 E, M.D.B.& M.  
105.1 acres - Total

EDWARD RICE:

14.4 acres in NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> Sec. 25, T 33 N, R 2 W, M.D.B.& M.  
0.5 acre in NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> Sec. 25, T 33 N, R 2 W, M.D.B.& M.  
14.9 acres - Total

KATE ROSE:

7.1 acres in NE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> Sec. 23, T 34 N, R 1 W, M.D.B.& M.  
7.1 acres - Total

O. L. ROSE:

1.0 acre in NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> Sec. 7, T 33 N, R 1 E, M.D.B.& M.  
3.7 acres in Lot 3, Sec. 7, T 33 N, R 1 E, M.D.B.& M.  
2.5 acres in Lot 4, Sec. 7, T 33 N, R 1 E, M.D.B.& M.  
7.2 acres - Total

WILFORD E. ROSS AND JOHN Q. COX:

24.3 acres in Lot 2, Sec. 30, T 33 N, R 1 W, M.D.B.& M.  
23.8 acres in Lot 3, Sec. 30, T 33 N, R 1 W, M.D.B.& M.  
48.1 acres - Total

GEORGE RUTHERFORD:

6.9 acres in SE<sup>1</sup>/<sub>4</sub> Sec. 36, T 33 N, R 3 W, M.D.B.& M.  
6.9 acres - Total

JOHN RUTHERFORD:

4.0 acres in Lot 4, Sec. 2, T 32 N, R 3 W, M.D.B.& M.  
2.4 acres in SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub> Sec. 2, T 32 N, R 3 W, M.D.B.& M.  
1.6 acres in Lot 1, Sec. 3, T 32 N, R 3 W, M.D.B.& M.  
10.8 acres in SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> Sec. 3, T 32 N, R 3 W, M.D.B.& M.  
18.8 acres - Total

SCHEDULE I (Continued)

L. J. SHARP: *Successor of John L. Sharp*

13.0 acres in SW<sup>1</sup> NW<sup>1</sup> Sec. 29, T 32 N, R 3 W, M.D.B.& M.  
13.0 acres - Total

MRS. LILLIE M. SPAULDING:

10.3 acres in SE<sup>1</sup> SE<sup>1</sup> Sec. 14, T 34 N, R 1 W, M.D.B.& M.  
24.1 acres in SW<sup>1</sup> SE<sup>1</sup> Sec. 14, T 34 N, R 1 W, M.D.B.& M.  
34.4 acres - Total

EMMA A. THOMAS:

9.1 acres in NW<sup>1</sup> NE<sup>1</sup> Sec. 13, T 33 N, R 1 W, M.D.B.& M.  
17.5 acres in NE<sup>1</sup> NW<sup>1</sup> Sec. 13, T 33 N, R 1 W, M.D.B.& M.  
2.2 acres in SE<sup>1</sup> NW<sup>1</sup> Sec. 13, T 33 N, R 1 W, M.D.B.& M.  
28.8 acres - Total

R. A. WARD:

6.5 acres in Lot 1, Sec. 1, T 33 N, R 2 W, M.D.B.& M.  
4.8 acres in Lot 2, Sec. 1, T 33 N, R 2 W, M.D.B.& M.  
0.2 acre in Lot 3, Sec. 6, T 33 N, R 1 W, M.D.B.& M.  
3.9 acres in Lot 4, Sec. 6, T 33 N, R 1 W, M.D.B.& M.  
4.5 acres in Lot 4, Sec. 31, T 34 N, R 1 W, M.D.B.& M.  
0.1 acre in SW<sup>1</sup> SE<sup>1</sup> Sec. 31, T 34 N, R 1 W, M.D.B.& M.  
13.3 acres in SE<sup>1</sup> SW<sup>1</sup> Sec. 31, T 34 N, R 1 W, M.D.B.& M.  
21.6 acres in SW<sup>1</sup> SW<sup>1</sup> Sec. 31, T 34 N, R 1 W, M.D.B.& M.  
7.6 acres in SE<sup>1</sup> SE<sup>1</sup> Sec. 36, T 34 N, R 1 W, M.D.B.& M.  
62.5 acres - Total

ROY WILSEY: *Successor of John Wilsey*  
*Substituted for John Wilsey*

8.1 acres in NE<sup>1</sup> SW<sup>1</sup> Sec. 31, T 33 N, R 2 W, M.D.B.& M.  
6.8 acres in SE<sup>1</sup> SW<sup>1</sup> Sec. 31, T 33 N, R 2 W, M.D.B.& M.  
20.1 acres in Lot 3, Sec. 31, T 33 N, R 2 W, M.D.B.& M.  
10.2 acres in Lot 4, Sec. 31, T 33 N, R 2 W, M.D.B.& M.  
45.2 acres - Total

C. S. ERICKSON:

0.4 acre in NE<sup>1</sup> SW<sup>1</sup> Sec. 18, T 34 N, R 1 E, M.D.B.& M.  
14.1 acres in SW<sup>1</sup> SE<sup>1</sup> Sec. 18, T 34 N, R 1 E, M.D.B.& M.  
1.0 acre in NW<sup>1</sup> SE<sup>1</sup> Sec. 18, T 34 N, R 1 E, M.D.B.& M.  
8.8 acres in SE<sup>1</sup> SW<sup>1</sup> Sec. 18, T 34 N, R 1 E, M.D.B.& M.  
0.8 acre in NW<sup>1</sup> NE<sup>1</sup> Sec. 19, T 34 N, R 1 E, M.D.B.& M.  
25.1 acres - Total

LOUISA LEMM:

5.0 acres in Sec. 3, T 32 N, R 3 W, M.D.B.& M.  
5.0 acres - Total

REDDING SAVINGS BANK:

1.7 acres in SW<sup>1</sup> SE<sup>1</sup> Sec. 20, T 32 N, R 3 W, M.D.B.& M.  
10.7 acres in SE<sup>1</sup> SE<sup>1</sup> Sec. 20, T 32 N, R 3 W, M.D.B.& M.  
0.5 acre in NW<sup>1</sup> NE<sup>1</sup> Sec. 29, T 32 N, R 3 W, M.D.B.& M.  
1.3 acres in NE<sup>1</sup> NE<sup>1</sup> Sec. 29, T 32 N, R 3 W, M.D.B.& M.  
0.6 acre in SE<sup>1</sup> NE<sup>1</sup> Sec. 29, T 32 N, R 3 W, M.D.B.& M.  
4.4 acres in NE<sup>1</sup> SE<sup>1</sup> Sec. 29, T 32 N, R 3 W, M.D.B.& M.  
19.7 acres - Total

SCHEDULE I (Continued)

WALTER MELTON:

1.0 acre in NW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 9, T 32 N, R 3 W, M.D.B.& M.

1.0 acre - Total

*40000  
W. Melton  
Sec. 9, T. 32 N.  
R. 3 W.*

SCHEDULE II

CONTINUOUS FLOW ALLOTMENTS TO CEDAR CREEK USERS

| Property Owner | Ditch              | Acreage to be Supplied | Maximum Irrigation Allotment Sec. Ft. |      |
|----------------|--------------------|------------------------|---------------------------------------|------|
| H. O. Bishop   | Bishop             | 9.1                    | 0.50                                  | 4-1  |
| Alonzo Haley   | Spaulding-Haley    | 32.6                   | 1.30                                  | 4-6  |
| Ida L. Bidwell | Halcumb            | 100.0                  | 4.00                                  | 4-5  |
| Kate Rowe      | Roe                | 7.1                    | 0.30                                  | 4-8  |
| J. G. Hadley   | Hadley (2 ditches) | 20.8                   | 0.80                                  | 4-11 |
| TOTALS         |                    | 169.6                  | 6.90                                  |      |

SCHEDULE III

MAXIMUM IRRIGATION ALLOTMENTS TO NORTH COW CREEK CLASS A USERS

| Property Owner                                 | Ditch                             | Acreage to be Supplied | Maximum Irrigation Allotment Sec. Ft. |
|--|-----------------------------------|------------------------|---------------------------------------|
| Francis R. and Holly Adams Fassett             | Frisbie and Dozier 24             | **                     | 0.60                                  |
| Alex Hansen                                    | Benbow 2                          | 28.6                   | 1.25                                  |
| Red River Lumber Company                       | Sam Rice                          | 10.8                   | 0.45                                  |
| A. F. Pehrson                                  | Pehrson-Grant-Jones               | 64.3                   | 2.60                                  |
| G. R. Eldridge                                 | Eldridge (4 ditches)              | 80.1                   | 3.20                                  |
| Mrs. Augusta I. Hobson                         | Hobson (2 ditches)                | 53.9                   | 2.15                                  |
| Roy Wilsey                                     | Wilsey                            | 45.2                   | 1.80                                  |
| Charles L. Lemm                                | Woodman                           | 53.6                   | 2.40                                  |
| George Rutherford                              | Pump                              | 3.5                    | 0.15*                                 |
| John Rutherford                                | Pump                              | 9.4                    | 0.40*                                 |
| Louisa Lemm                                    | Pump                              | 5.0                    | 0.20                                  |
| V. Rozum and B. Rozum                          |                                   |                        | 0.75                                  |
| J. G. Chatham                                  |                                   |                        | 0.375                                 |
| Arthur, Melvin, Oscar and Christine Olsen      | Cook and Butcher                  | 110.0                  | 0.75                                  |
| L. J. Sharp                                    |                                   |                        | 0.375                                 |
| Inella Lofton                                  |                                   |                        | 0.375                                 |
| Red River Lumber Company                       |                                   |                        | 1.875                                 |
| Redding Savings Bank                           | Gray Ditch and/or Gray Upper Pump | 9.9                    | 0.40                                  |
| Walter Melton                                  | Melton Pump                       | 0.5                    | 0.02                                  |
| TOTALS   |                                   | 474.8                  | 20.12                                 |
| Total Minimum Flow Allotments to Class B Users |                                   |                        | 1.82                                  |
| GRAND TOTAL                                    |                                   |                        | 21.94                                 |

\* George Rutherford and John Rutherford shall be entitled to divert only during the last three days of each rotation period of North Cow Creek Class A Users and at the rates of 0.35 and 0.85 cubic foot per second, respectively.

\*\* All of land of Francis R. and Holly Adams Fassett to be irrigated under Schedule III has been included under Schedule IV hereof.

SCHEDULE IV

MAXIMUM IRRIGATION ALLOTMENTS TO NORTH COW CREEK CLASS B USERS

| Property   | Ditch & Div. No.                  | Acreage to be Supplied | Maximum Irrigation Allotment Sec. Ft. |      |
|--|-----------------------------------|------------------------|---------------------------------------|------|
| Francis R. & Holly Adams Fassett                       | Frisbie and Dozier                | 10.1*                  | 0.60                                  | 4-1  |
| Mrs. Lillie M. Spaulding                               | Benbow 12                         | 34.4                   | 1.25                                  | 4-   |
| W. A. Calkins  | Sam Rice 11                       | 10.0                   | 0.45                                  | 4-2  |
| Emil Flaetke   | Earl Patton 13                    | 25.1                   | 1.00                                  | 4-3  |
| Jesse Grant  | Pehrson-Grant-Jones               | 34.1                   | 1.30                                  | 4-1  |
| C. B. Jones  | Pehrson-Grant-Jones               | 32.9                   | 1.30                                  | 4-4  |
| Richard Ellerkamp                                      | Ellerkamp 25                      | 1.5                    | 0.25                                  | 4-5  |
| J. E. Baker  | Bibbens 30                        | 23.4                   | 0.95                                  | 4-2  |
| R. A. Ward   | Ward (2 ditches)                  | 62.5                   | 2.50                                  | 4-12 |
| J. G. Asher  | Huffman 102                       | 14.6                   | 0.60* <sup>0.45</sup>                 | 4-1  |
| Charles L. Lemm  | Woodman 101                       | 53.6                   | 2.40                                  | 4-6  |
| Geo. Rutherford  | Pump                              | 3.4                    | 0.15                                  | 4-7  |
| John Rutherford  | Pump                              | 9.4                    | 0.40 <sup>0.45</sup>                  | 4-7  |
| V. Rozum and B. Rozum (Bill Bks)                       |                                   |                        | 0.75                                  | 4-7  |
| J. G. Chatham  |                                   |                        | 0.375                                 | 4-7  |
| Arthur, Melvin, Oscar and Christine Olson (G. L. Rich) | Cook and Butcher                  | 109.9                  | 0.75                                  | 4-8  |
| L. J. Sharp  |                                   |                        | 0.375                                 | 4-8  |
| Luella Lofton  |                                   |                        | 0.375                                 | 4-8  |
| Red River Lumber Company                               |                                   |                        | 1.875                                 | 4-8  |
| Erick Anderson   | Pump                              | 2.4                    | 0.10                                  | 4-8  |
| Carrie L. Boyle & Co. (etal)                           | Pump                              | 12.2                   | 0.50                                  | 4-8  |
| W. A. Bogue and D. G. Hunt, Jr.                        | Pump                              | 11.1                   | 0.45                                  | 4-8  |
| H. H. Butzbach   | Pump                              | 15.5                   | 0.60                                  | 4-8  |
| Reading Savings Bank                                   | Gray Ditch and/or Gray Upper Pump | 9.8                    | 0.40                                  | 4-8  |
| Walter Melton  | Melton Pump                       | 0.5                    | 0.02                                  | 4-8  |
| TOTALS   |                                   | 476.4                  | 19.72                                 |      |
| Total Minimum Flow Allotments to Class A Users         |                                   |                        | 1.77                                  |      |
| GRAND TOTAL  |                                   |                        | 21.49                                 |      |

\* George Rutherford and John Rutherford shall be entitled to divert only during the last three days of each rotation period of North Cow Creek Class B Users and at the rates of 0.35 and 0.85 cubic foot per second, respectively. J. G. Asher shall be entitled to divert only during the first four days of each rotation period of North Cow Creek Class B Users and at the rate of 1.05 cubic feet per second.

\*\* Same area of 10.1 acres to be irrigated by Francis R. and Holly Adams Fassett under Schedule III hereof.

*Almond  
type*

SCHEDULE V

IRRIGATION PERIODS FOR NORTH COW CREEK USERS

CLASSES A AND B

| <u>Period No.</u> | <u>Begins 8:00 A. M.</u> | <u>Ends 8:00 A. M.</u> | <u>Class Entitled to Irrigation Allotment</u> |
|-------------------|--------------------------|------------------------|---|
| 1                 | May 1                    | May 8                  | Class A                                       |
| 2                 | May 8                    | May 15                 | Class B                                       |
| 3                 | May 15                   | May 22                 | Class A                                       |
| 4                 | May 22                   | May 29                 | Class B                                       |
| 5                 | May 29                   | June 5                 | Class A                                       |
| 6                 | June 5                   | June 12                | Class B                                       |
| 7                 | June 12                  | June 19                | Class A                                       |
| 8                 | June 19                  | June 26                | Class B                                       |
| 9                 | June 26                  | July 3                 | Class A                                       |
| 10                | July 3                   | July 10                | Class B                                       |
| 11                | July 10                  | July 17                | Class A                                       |
| 12                | July 17                  | July 24                | Class B                                       |
| 13                | July 24                  | July 31                | Class A                                       |
| 14                | July 31                  | August 7               | Class B                                       |
| 15                | August 7                 | August 14              | Class A                                       |
| 16                | August 14                | August 21              | Class B                                       |
| 17                | August 21                | August 28              | Class A                                       |
| 18                | August 28                | September 4            | Class B                                       |
| 19                | September 4              | September 11           | Class A                                       |
| 20                | September 11             | September 18           | Class B                                       |
| 21                | September 18             | September 25           | Class A                                       |
| 22                | September 25             | October 2              | Class B                                       |
| 23                | October 2                | October 9              | Class A                                       |
| 24                | October 9                | October 16             | Class B                                       |
| 25                | October 16               | October 23             | Class A                                       |
| 26                | October 23               | October 30             | Class B                                       |

SCHEDULE VI

MINIMUM ALLOTMENTS TO NORTH COW CREEK USERS, CLASSES A AND B

| Property Owner                        | Ditch & Div. No.                | Class of User | Allotment Sec. Ft.      |
|---------------------------------------|---------------------------------|---------------|-------------------------|
| Alex Hansen <i>ok</i>                 | Benbow 12                       | A             | 0.125                   |
| Red River Lumber Company              | Sam Rice 11                     | A             | 0.125                   |
| A. E. Pehrson - <i>(sold in '61)</i>  | Pehrson-Grant-Jones 20          | A             | 0.25                    |
| G. R. Eldridge                        | Eldridge (4 ditches) 20, 21, 22 | A             | 0.40                    |
| Mrs. Augusta I. Hobson                | Hobson (2 ditches) 23, 24       | A             | 0.25                    |
| Roy Wilsey                            | Wilsey <i>100</i>               | A             | 0.25                    |
| V. Rozum and B. Rozum )               |                                 |               |                         |
| J. G. Chatham - <i>ok</i> )           |                                 |               |                         |
| Arthur, Melvin, Oscar and )           | Cook and Butcher 110            | A             | 0.375                   |
| Christine Olson - <i>(Bibbs)</i> )    |                                 |               |                         |
| L. J. Sharp - <i>Thomas, Gustaf</i> ) |                                 |               |                         |
| Luella Lofton - <i>W.F. Gustaf</i> )  |                                 |               |                         |
| Red River Lumber Company )            |                                 |               |                         |
| Mrs. Lillie M. Spaulding              | Benbow 12                       | B             | 0.125                   |
| W. A. Calkins                         | Sam Rice 11                     | B             | 0.125                   |
| Emil Plaetke                          | Earl Patton 13                  | B             | 0.10 <i>Transfer 45</i> |
| Jesse Grant                           | Pehrson-Grant-Jones 20          | B             | 0.125                   |
| C. B. Jones                           | Pehrson-Grant-Jones             | B             | 0.125                   |
| Richard Ellerkamp                     | Ellerkamp 10                    | B             | 0.10                    |
| J. E. Baker                           | Bibbens 20                      | B             | 0.25                    |
| R. A. Ward                            | Ward (2 ditches) 22 & 100       | B             | 0.25                    |
| J. G. Asher                           | Huffman 102                     | B             | 0.25                    |
| V. Rozum and B. Rozum )               |                                 |               |                         |
| J. G. Chatham - <i>ok</i> )           |                                 |               |                         |
| Arthur, Melvin, Oscar and )           |                                 |               |                         |
| Christine Olson - <i>(Bibbs)</i> )    |                                 |               |                         |
| L. J. Sharp - <i>Thomas, Gustaf</i> ) | Cook and Butcher 110            | B             | 0.375                   |
| Luella Lofton - <i>W.F. Gustaf</i> )  |                                 |               |                         |
| Red River Lumber Company )            |                                 |               |                         |
| TOTAL                                 |                                 |               | 3.60                    |

SCHEDULE VII

CONTINUOUS FLOW EQUIVALENTS OF ALLOTMENTS FROM NORTH COW CREEK AND ITS TRIBUTARIES TO BE USED AS A BASIS FOR APPORTIONMENT OF EXPENSES INCURRED BY DIVISION OF WATER RIGHTS, AS REFEREE, AND FOR APPORTIONMENT OF ANY EXPENSES THAT MAY BE INCURRED FOR WATER MASTER SERVICE IN THE FUTURE.

| Name                            | Continuous Flow Equivalent of Allotment<br>Cubic Feet per Second | Apportionment of Expenses<br>Per Cent |
|---------------------------------|--|---------------------------------------|
| Erick Anderson                  | 0.05   | 0.2                                   |
| Evert G. Angle                  | 0.50 + <i>Erison</i>   | 1.7                                   |
| J. G. Asher                     | 0.30   | 1.0                                   |
| J. E. Baker                     | 0.47   | 1.6                                   |
| James W. Ballard                | 0.50 + <i>WAS</i>  | 1.7                                   |
| Ida L. Bidwell                  | <i>Ida</i> 2.00  | 6.7                                   |
| H. O. Bishop                    | 0.25   | 0.8                                   |
| W. A. Bogue and D. G. Hunt, Jr. | 0.23   | 0.7                                   |
| Carrie L. Boyle                 | 0.25   | 0.8                                   |
| H. H. Butzbach                  | 0.30   | 1.0                                   |
| California Zinc Company         | 0.59   | 1.9                                   |
| W. A. Calkins                   | 0.23   | 0.7                                   |
| J. G. Chatham                   | 0.37   | 1.2                                   |
| G. R. Eldridge                  | 1.60   | 5.3                                   |
| Richard Ellerkamp               | 0.13   | 0.4                                   |
| E. C. English                   | 0.50 + <i>WAS</i>  | 1.7                                   |
| Francis R. and Holly Adams      |  |                                       |
| Fassett                         | 0.60   | 2.0                                   |
| Jesse Grant                     | 0.65   | 2.2                                   |
| J. G. Hadley                    | 0.40   | 1.4                                   |
| Alonzo Haley                    | 0.65   | 2.2                                   |
| Alex Hansen                     | 0.63   | 2.1                                   |
| John Passons                    | 0.50 + <i>WAS</i>  | 1.7                                   |
| Augusta I. Hobson, Mrs.         | 1.07   | 3.5                                   |
| V. Rozum and B. Rozum           | 0.75   | 2.5                                   |
| C. B. Jones                     | 0.65   | 2.2                                   |
| Charles L. Lemm                 | 2.40   | 8.0                                   |
| Louisa Lemm                     | 0.10   | 0.3                                   |
| Luella Lofton                   | 0.37   | 1.2                                   |
| John W. Maxwell and Mae Belle   |  |                                       |
| Phillips                        | 0.50 + <i>WAS</i>  | 1.7                                   |
| Arthur, Melvin, Oscar and       |  |                                       |
| Christine Olson                 | 0.75   | 2.5                                   |
| A. F. Pehrson                   | 1.30   | 4.3                                   |
| Lillie Grace Phillips           | 0.13   | 0.4                                   |
| Emil Plaetke                    | 0.57   | 1.9                                   |
| Red River Lumber Company        | 2.10   | 7.0                                   |
| Edward Rice                     | 0.50 + <i>WAS</i>  | 1.7                                   |
| O. L. Rose                      | 0.50 + <i>WAS</i>  | 1.7                                   |
| W. E. Ross & J. Q. Cox          | 1.00 + <i>WAS</i>  | 3.3                                   |
| Kate Rowe                       | <i>Cedric</i> 0.15   | 0.5                                   |
| George Rutherford               | 0.15   | 0.5                                   |
| John Rutherford                 | 0.37   | 1.2                                   |
| L. J. Sharp                     | 0.37   | 1.2                                   |
| Mrs. Lillie M. Spaulding        | 0.63   | 2.1                                   |
| Emma A. Thomas                  | 0.50 + <i>WAS</i>  | 1.7                                   |
| R. A. Ward                      | 1.25   | 4.1                                   |
| Roy Wilsey                      | 0.90   | 3.0                                   |
| Redding Savings Bank            | 0.40   | 1.4                                   |
| Walter Melton                   | 0.02   | 0.1                                   |
| E. C. Frisbie                   | 1.00   | 3.0                                   |
| TOTALS                          | 30.63  | 100.0                                 |

*20.48 diversion from  
Cull Creek 5.00*

*Tract 4-2*

SCHEDULE VIII

DESCRIPTIONS OF POINTS OF DIVERSION OF DITCHES

ENUMERATED IN SCHEDULES II, III, AND IV.

BISHOP DITCH ON CEDAR CREEK:

At a point (designated on Division of Water Rights Map as Diversion 4) which bears approximately S 65° 30' E, approximately 3420 feet distant from the northwest corner of Section 20, T 34 N, R 1 E, M.D.B. & M., being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 20,

SPAULDING-HALEY DITCH ON CEDAR CREEK:

At a point (designated on Division of Water Rights Map as Diversion 31) which bears approximately S 86° 00' E, approximately 1640 feet distant from the northwest corner of Section 24, T 34 N, R 1 W, M.D.B. & M., being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 24.

HALCUMB DITCH ON CEDAR CREEK:

At a point (designated on Division of Water Rights Map as Diversion 32) which bears approximately N 68° 30' E, approximately 400 feet distant from the southwest corner of Section 13, T 34 N, R 1 W, M.D.B. & M., being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 13.

ROE DITCH ON CEDAR CREEK:

At a point (designated on Division of Water Rights Map as Diversion 33) which bears approximately N 65° 00' E, approximately 280 feet distant from the southwest corner of Section 13, T 34 N, R 1 W, M.D.B. & M., being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 13.

HADLEY UPPER DITCH ON CEDAR CREEK:

At a point (designated on Division of Water Rights Map as Diversion 40) which bears approximately S 31° 00' W, approximately 900 feet distant from the northeast corner of Section 28, T 34 N, R 1 W, M.D.B. & M., being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 28.

HADLEY LOWER DITCH ON CEDAR CREEK:

At a point (designated on Division of Water Rights Map as Diversion 41) which bears approximately S 66° 00' W, approximately 3250 feet distant from the northeast corner of Section 28, T 34 N, R 1 W, M.D.B. & M., being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 28.

SAM RICE DITCH ON NORTH FORK OF NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 11) which bears approximately S 16° 00' W, approximately 490 feet distant from the north quarter corner of Section 29, T 34 N, R 1 E, M.D.B. & M., being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 29.

BENBOW DITCH ON NORTH FORK OF NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 12) which bears approximately S 31° 00' W, approximately 2880 feet distant from the north quarter corner of Section 29, T 34 N, R 1 E, M.D.B. & M., being within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 29.

SCHEDULE VIII (Continued)

EARL PATTON DITCH ON NORTH FORK OF NORTH COW CREEK:

- 7 rec'd 4-3

At a point (designated on Division of Water Rights Map as Diversion 13) which bears approximately S 46° 30' W, approximately 960 feet distant from the east quarter corner of Section 30, T 34 N, R 1 E, M.D.B. & M., being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 30.

FRISBIE AND DOZIER DITCH ON S. FK. OF M. FK. OF NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 24) which bears approximately S 23° 30' E, approximately 950 feet distant from the west quarter corner of Section 34, T 34 N, R 1 E, M.D.B. & M., being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 34.

ELLERKAMP DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 28) which bears approximately S 6° 00' W, approximately 1710 feet distant from the north quarter corner of Section 36, T 34 N, R 1 W, M.D.B. & M., being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 36.

PEHRSON-GRANT-JONES DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 29) which bears approximately S 69° 30' W, approximately 970 feet distant from the northeast corner of Section 36, T 34 N, R 1 W, M.D.B. & M., being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 36.

BIBBENS DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 89) which bears approximately N 20° 00' E, approximately 2690 feet distant from the southwest corner of Section 3, T 33 N, R 1 W, M.D.B. & M., being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 3.

ELDRIDGE UPPER DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 88) which bears approximately N 39° 00' E, approximately 3870 feet distant from the southwest corner of Section 3, T 33 N, R 1 W, M.D.B. & M., being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 3.

ELDRIDGE LOWER DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 90) which bears approximately N 41° 30' W, approximately 3510 feet distant from the southeast corner of Section 4, T 33 N, R 1 W, M.D.B. & M., being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 4.

ELDRIDGE ISLAND DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 91) which bears approximately S 59° 30' E, approximately 1320 feet distant from the west quarter corner of Section 4, T 33 N, R 1 W, M.D.B. & M., being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 4.

SCHEDULE VIII (Continued)

ELDRIDGE HOUSE DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 92) which bears approximately S 33° 00' W, approximately 1270 feet distant from the east quarter corner of Section 5, T 33 N, R 1 W, M.D.B. & M., being within the NE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 5.

HOBSON UPPER DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 93) which bears approximately S 59° 00' W, approximately 1260 feet distant from the east quarter corner of Section 5, T 33 N, R 1 W, M.D.B. & M., being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 5.

HOBSON LOWER DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 94) which bears approximately S 64° 30' W, approximately 3970 feet distant from the east quarter corner of Section 5, T 33 N, R 1 W, M.D.B. & M., being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 5.

WARD UPPER DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 99) which bears approximately S 8° 00' E, approximately 2810 feet distant from the north quarter corner of Section 6, T 33 N, R 1 W, M.D.B. & M., being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 6.

WARD LOWER DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 100) which bears approximately S 60° 00' W, approximately 1290 feet distant from the north quarter corner of Section 6, T 33 N, R 1 W, M.D.B. & M., being within Lot 3 of said Section 6.

HUFFMAN DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 102) which bears approximately N 12° 00' W, approximately 760 feet distant from the southeast corner of Section 36, T 34 N, R 2 W, M.D.B. & M., being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 36.

WILSEY DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 106) which bears approximately N 40° 00' E, approximately 1910 feet distant from the center of Section 31, T 33 N, R 2 W, M.D.B. & M., being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 31.

WOODMAN DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 107) which bears approximately S 53° 30' W, approximately 1630 feet distant from the east quarter corner of Section 36, T 33 N, R 3 W, M.D.B. & M., being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 36.

SCHEDULE VIII (Continued)

GEORGE RUTHERFORD PUMP ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 108) which bears approximately S 57° 00' W, approximately 2290 feet distant from the east quarter corner of Section 26, T 33 N, R 3 W, M.D.B. & M., being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 36.

JOHN RUTHERFORD PUMP ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 109) which bears approximately S 22° 00' E, approximately 1330 feet distant from the northwest corner of Section 2, T 32 N, R 3 W, M.D.B. & M., being within Lot 4, of said Section 2.

COOK AND BUTCHER DITCH ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 110) which bears approximately N 56° 00' E, approximately 2580 feet distant from the southwest corner of Section 9, T 32 N, R 3 W, M.D.B. & M., being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 9.

ANDERSON PUMP ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 113) which bears approximately N 66° 30' W, approximately 1600 feet distant from the southeast corner of Section 29, T 32 N, R 3 W, M.D.B. & M., being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 29.

BOYLE PUMP ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 114) which bears approximately N 55° 00' W, approximately 2130 feet distant from the east quarter corner of Section 32, T 32 N, R 3 W, M.D.B. & M., being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 32.

BOGUE PUMP ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 115) which bears approximately N 53° 30' W, approximately 2170 feet distant from the southeast corner of Section 32, T 32 N, R 3 W, M.D.B. & M., being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 32.

BUTZBACH PUMP ON NORTH COW CREEK:

At a point (designated on Division of Water Rights Map as Diversion 116) which bears approximately S 39° 00' W, approximately 2370 feet distant from the northeast corner of Section 5, T 31 N, R 3 W, M.D.B. & M., being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 5.